SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA BARBARA
SANTA MARIA BRANCH; COOK STREET DIVISION
DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

THE PEOPLE OF THE STATE OF)
CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, APRIL 13, 2005

8:30 A.M.

(PAGES 5891 THROUGH 5948)

REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304
BY: Official Court Reporter 5891

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1 I N D E X
2
3 Note: Mr. Sneddon is listed as “SN” on index.
4 Mr. Zonen is listed as “Z” on index. Mr. Auchincloss is listed as “A” on index.
5 Mr. Mesereau is listed as “M” on index. Ms. Yu is listed as “Y” on index.
6 Mr. Sanger is listed as “SA” on index. Mr. Oxman is listed as “O” on index.
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9 PLAINTIFF’S WITNESSES DIRECT CROSS REDIRECT RECROSS
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11 JACKSON, Jay D. 5894-M 5915-Z 5927-M
12 5934-Z 5940-M
13 (Further) (Further)
14 JACKSON, Janet 5942-Z
15 (Nonjury)
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20 E X H I B I T S
21 FOR IN
22 PLAINTIFF’S NO. DESCRIPTION I.D. EVID.
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26 Photo 5939 5940
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Santa Maria, California
Wednesday, April 13, 2005
8:30 a.m.

THE COURT: Good morning, everyone.
COUNSEL AT COUNSEL TABLE: (In unison)
Good morning, Your Honor.
THE JURY: Good morning.
THE COURT: Counsel, you may proceed.
MR. MESEREAU: Thank you, Your Honor.

JAY D. JACKSON
Having been previously sworn, resumed the
stand and testified further as follows:

CROSS-EXAMINATION (Continued)
BY MR. MESEREAU:
Q. Major Jackson, you testified that at one
point you met Janet at a salon in Brentwood,
correct?
A. Yes, sir.
Q. Were you in uniform?
A. Yes, sir, I was.
Q. Were you on active duty at that point?
A. Yes, sir.
Q. And were you working during the time period
that you visited Janet at the salon in uniform?
A. I had just left my job for the day. 5894

Q. Okay. Now, Janet began to live with you on
a regular basis during what month and year?
A. Regular basis would have been sometime after
November of ‘0 -- let’s see here. ‘02, I believe.
Q. And she certainly was living with you from
January through June of 2003, correct?
A. That is correct, less the period of time
between February and March where she was gone to
Neverland.
Q. Okay. But when she wasn’t visiting
Neverland, it was your belief that Janet and the
children were living with you, correct?
A. They were living between my house -- my
apartment and the Soto Street apartment.
Q. And most of the week, I believe you said
approximately five days, they would live with you,
correct?
A. Three to five days. It depended.
Q. Okay. And did you ever tell any
interviewing sheriff in this case that you were
supporting Janet and the children during that period
of time?
A. I don’t recollect that. You’d have to --
Q. Were you doing that?
A. There was probably in some ways I was.
Q. In what way were you supporting Janet and
the children during the period from January through
June of 2003? 5895

A. Well, of course they were sometimes staying in my house, my apartment. There was food. And she used my car sometimes. That's -- you know, that's the best I can think.
Q. Did you ever pay her rent?
A. I did pay her rent for her based on the money that she received.
Q. And the money that she received was through welfare, correct?
A. I believe -- assistance of some form.
Q. And you were allowing her to deposit her public assistance checks into your bank account at Bank of America, correct?
A. Two times that occurred, I believe.
Q. It actually occurred more than two, did it not?
A. Two is what I remember. But if you say it was three, okay, fine, I'm not -- you know, I'm not going to argue with that.
Q. Now, she received a welfare check from the County of Los Angeles in the amount of $769 on January 2nd, 2003. Do you remember that?
A. I remember a couple of welfare checks. I don't remember the dates, sir.
Q. Would it refresh your recollection to just see that check?
A. Sure.
MR. MESEREAU: May I approach, Your Honor? 5896

THE COURT: Yes.
THE WITNESS: And that was the deposit.
It shows it being a deposit, correct? Not just
cashing?
MR. MESEREAU: I'm not allowed to talk.
THE WITNESS: Okay. I see it went into the
Bank of America.
Q. BY MR MESEREAU: Have you had a chance to
look at the documents I just showed you?
A. Yes, sir.
Q. And did you see a check from the County of
Los Angeles addressed to Janet Arvizo dated January
2nd, 2003, in the amount of $769?
A. Yes, sir.
Q. And isn't it true that you took that check,
endorsed it, and deposited it into your Bank of
America account? Right?
A. Yes, sir.
Q. Now, your Bank of America account lists your
home address at 450 South St. Andrews Place, No.
307, in Los Angeles, correct?
A. That would be correct.
Q. And that was the address that you described
as being in Korea Town area of Los Angeles, true?
A. That is correct.
Q. The welfare checks going to Janet Arvizo
were addressed to her address at 802 North Soto
Street, correct? 5897

A. Correct.
Q. Okay. So you did that in January. You also did that -- excuse me. Let me rephrase. She received a welfare check in -- on February 15th, 2003, that you also endorsed and deposited into your Bank of America account, correct?
A. Yes, sir.
Q. And that check was in the amount of $769, true?
A. Excuse me, yes, sir.
Q. That check also was addressed to Janet Arvizo at 807 -- excuse me, I said 802 before -- 807 North Soto Street, Los Angeles, true?
A. Yes, sir.
Q. Now, at some point, Janet became a signatory to your bank account, correct?
A. Yes, sir.
Q. She wasn't a signatory to your bank account in January and February of 2003, right?
A. I don't believe she was. I'm really not sure when she actually did become a signatory. I know she did.
Q. Now, in January and February the account was strictly in your name, true?
A. That would -- I believe that would be correct, yes, sir.
Q. Okay. Now, on May 19th of 2003, Janet 5898

1 received a welfare check in the amount of $528.61
2 that you also appear to have deposited into your
3 account. Do you remember that?
4 A. I don't.
5 Q. Okay. Would it refresh your recollection
6 just to see that check?
7 A. Sure.
8 MR. MESEREAU: May I approach, Your Honor?
9 THE COURT: Yes.
10 MR. ZONEN: May I see that, please?
11 THE WITNESS: Okay.
12 Q. BY MR. MESEREAU: Have you had a chance to
13 look at that document?
14 A. Yes, I have.
15 Q. And that is a check addressed to Janet
16 Arvizo by the County of Los Angeles dated May 19th,
17 2003, correct?
18 A. That is correct.
19 Q. And you appear to have endorsed that check,
20 correct?
21 A. Yes, sir.
22 Q. And on that check, Janet Arvizo's address is
23 12643 Raymer Street, El Monte, California 91723. Do
24 you see that?
25 A. Yes, sir. I would believe that that's not a
26 welfare check. I believe it's maybe some type of
27 public assistance. But I don't believe it's
28 welfare. 5899

Q. Was it a disability check?
A. I don't know. But I don't believe that was welfare. I believe she cut that off after the Jackson people closed her apartment.
Q. Okay. Now, approximately -- let's see. Well, on May 5th, 2003, she also got a check from the County of Los Angeles for $203.54. Do you remember that?
A. No, I don't. It may be -- it may be child support. I'm not sure.
Q. Would it refresh your recollection if I show it to you?
A. Sure.
Yes, sir. I believe that's child support.
Q. You've had a chance to look at that document, correct?
A. Yes, sir.
Q. The document is -- it's a check from the County of Los Angeles in the amount of $203.54, right?
A. That's correct.
Q. It's addressed to Janet Arvizo at 12643 Raymer Street in El Monte, correct?
A. That would be correct.
Q. And you did endorse that check as well?
A. Yes, sir.
Q. Okay. On May 5th, 2003, Janet Arvizo received a check in the amount of $268.48. Are you 5900

aware of that?
A. I'm sure it is, if you've got it there. I'm sure it's child support.
Q. And you endorsed that check as well --
A. Okay, sir.
Q. -- true?
Okay. Now, at some point did you learn that Janet Arvizo wrote to the Los Angeles County welfare authorities and said, "Stop sending me welfare"?
A. I believe she did, yes.
Q. Did you actually see the note she wrote?
A. No, I don't think I did. But I believe that she did. I think she told me she did.
Q. Now, you would agree that you were providing some financial support during January and February of 2003 to Janet and the family, correct?
A. You know what? She was depositing those checks into my account and that was probably what she was using for support.
Q. Okay. You were paying utility bills also for Janet, were you not?
A. Was I paying utility bills?
Q. Yes.
A. I may have paid a utility bill.
Q. Did you help the family out financially during -- excuse me, let me rephrase. During January and February of 2003, were you providing any financial assistance to Janet Arvizo and her 5901

children?
A. If I provided support to them during that period, it would have been from that welfare check.
Q. So let me get this straight. You know Janet had a bank account at that point, didn't she?
A. No, sir, I did not.
Q. Did she have an account anywhere, to your knowledge?
A. Not that I'm aware of. In fact, she was cashing her checks that she was receiving at one of these check cashing -- and that's the reason it costs 6 or 8 or 10 percent to cash it. So I asked her, I said, "Let's cash it through my account and that way you don't lose that money."
Q. Okay. Okay. Do you recall writing any checks on your own to Janet during those first two months?
A. I don't, sir.
Q. Do you know -- do you recall writing checks to Janet at all during the early part of 2003?
A. I don't.
Q. Okay. Did you ever provide any financial assistance to the children during January, February or March of 2003?
A. I don't recall. If I did, I would have thought it was from the welfare money.
Q. So your position is that the only money you 5902

gave Janet during January and February of 2003 was welfare money she had given you?
A. That would be my impression. I was not -- I don't know any rules with regards to welfare. I wasn't concerned about that. She was my girlfriend, they were her children. If I gave them any money it was because it was out of the goodness of my heart.
Q. I understand that. My question to you is, Janet deposited welfare checks and then child support checks into your bank account at Bank of America in Los Angeles, correct?
A. Correct.
Q. And this was starting in approximately January of 2003, true?
A. That would probably be true.
Q. And are you saying under oath, Major Jackson, that the only money you took out of that account and ever gave to Janet and the children was Janet's own money?
A. Could you restate the question, please, a different way?
Q. Sure. If it's not clear, I'll --
A. Please.
Q. -- rephrase it.
Are you saying under oath that between January 2003 and May of 2003, the only money you gave Janet Arvizo out of your bank account was money she had put into your account? 5903

A. Sir, I think I answered that, and that is,
is that I don't know that answer. And that if I did
give her money that would have been above and beyond
what she was receiving, that would have been coming
from me out of the goodness of my heart. Because
she was my girlfriend and I did love her children.
Q. Okay. And did she tell you at some point,
"I want to deposit welfare checks into you, Major
Jay Jackson's back account"?
A. No, sir. I'm the one that said, "Why don't
we put it into my account because it's -- it will
save you a little bit of money, from what little bit
of money you do get."
Q. Okay. Did you ever look at any of Janet
Arvizo's welfare applications to Los Angeles County?
A. No, sir.
Q. Did she ever ask you to prepare one of those
applications?
A. No, sir.
Q. Do you know whether or not she was honest on
any application she sent to Los Angeles County
involving requests for public assistance?
A. Janet's pretty honest, but I don't know that
to be a fact.
Q. Okay. Now, during --
May I take just one second, Your Honor, to
look through --
THE COURT: Yes. 5904

Q. BY MR. MESEREAU: During the time that Janet Arvizo was living at your home --
A. My apartment.
Q. Your apartment. That was your home, right?
A. It's where I lived.
Q. Okay. And we're talking about the period starting in January of 2003, you were being paid by the United States Government, correct?
A. That would be correct.
Q. And your base pay was $5,310.60, correct?
MR. ZONEN: I'll object as irrelevant.
THE COURT: Overruled.
THE WITNESS: Sir, I don't have that in front of me. But if that's what my LES says, then that's correct.
Q. BY MR. MESEREAU: Would it refresh your recollection if I just show you the document we subpoenaed from the Army?
A. Sure.
MR. MESEREAU: May I approach, Your Honor?
THE COURT: Yes.
THE WITNESS: Yes. Okay.
Q. BY MR. MESEREAU: Have you had a chance to look at that document?
A. Yes, sir.
Q. Have you seen that document before?
A. I see my LES monthly.
Q. Okay. And let me restate the amount. The 5905

amount went up.
Well, the amount of base pay you were receiving effective January of 2003 was $5,528.40 per month, correct?
A. That would be correct.
Q. Okay. The amount of base pay you received in February of 2003 from the United States Government was also $5,528.40 per month, correct?
A. Yes, sir.
Q. And the amount of base pay you received from the United States Government in March of 2003 was $5,528.40 per month, correct?
A. Yes, sir.
Q. And the amount of base pay you received in April of 2003 from the United States Government was $5,528.40 per month, correct?
A. Yes, sir.
Q. Okay. Do you recall whether or not you ever requested any type of housing allowance or assistance from the United States Government because Janet Arvizo and her three children were living with you?
A. It would not matter. I could not request assistance from the government unless I married her.
Q. Okay.
A. So that would have occurred in May of '04.
Q. Okay. So you didn't do it anytime in 2003?
A. No, sir, I wouldn't have been able to. It 5906

wouldn’t have mattered if I did it, and I wouldn’t have done it.
Q. Okay. Okay. Was it your understanding Janet Arvizo had no other bank accounts on her own -- excuse me, that’s a poor question. Let me rephrase.
Was it your understanding, Major Jackson, that in the months of January, February, March and April of 2003, Janet Arvizo did not have any bank account?
A. Yes, sir. That would be my recollection.
Q. Okay. Do you know if she ever had an account at a bank called Providian?
A. No, sir.
Q. Okay. Did you ever discuss with Janet Arvizo whether or not she had ever obtained any money from a J.C. Penney settlement?
A. She -- no, sir, she did not talk about it. I started learning about it through the news.
Q. Okay. Do you know whether or not, during January, February, March or April of 2003, Janet Arvizo was making any deposits in her mother’s account at Sanwa Bank?
A. I’m not aware of that, sir.
Q. Were you ever aware of any account that Janet Arvizo had set up at any bank involving moneys she had obtained for the benefit of Gavin?
A. No, sir. 5907

Q. Okay. And were you ever involved in any fund-raising efforts for Gavin?
A. No, sir.
Q. Okay. Now, are you saying that the money you received every month during January, February, March or April was not used for the benefit of Janet or the children?
MR. ZONEN: Objection; vague. His paycheck?
MR. MESEREAU: Yes.
I'll rephrase it. Counsel's correct.
THE WITNESS: Please.
Q. BY MR. MESEREAU: The base pay you earned from the United States Government in January, February, March and April of 2003 was never used directly or indirectly for the benefit of Janet or the children, correct?
A. Cannot answer that question with accuracy.
Q. Okay. You testified yesterday that at one point Janet Arvizo went to court in downtown Los Angeles to deal with her domestic issues involving her ex-husband David, correct?
A. Yes, sir.
Q. Do you know approximately when that was?
A. That would have been right around the time of -- it would have been in the middle of March.
Q. Okay. Would that be March of 2003?
A. Yes, sir.
Q. Did you know -- excuse me. Did you know 5908

whether or not Janet Arvizo filed an income and expense declaration in that court case that you've just described?
A. No, sir, I do not.
Q. Okay.
A. I did not. I'm not even sure what that is.
Q. Was any of the welfare money or child support money that was deposited into your bank account during January, February, March, April of 2003 ever used for your benefit?
A. No, sir.
Q. Okay. And do you know whether or not Janet Arvizo ever disclosed to welfare authorities and the County of Los Angeles that you were helping her pay rent?
A. I do not know. I just know that when the apartment got taken away from her by Michael Jackson's assistants, she apparently at that time wrote a letter to them and just cancelled her welfare.
Q. That's not really answering my question, now, is it? That's something that you just wanted to tell the jury, correct?
A. Okay.
MR. ZONEN: Objection; argumentative.
THE COURT: Counsel --
MR. MESEREAU: I withdraw it.
Q. Let's talk about the checks you wrote to 5909

Mr. Trujillo when you were paying her rent at her apartment.
A. All right.
Q. Do you know whether or not Janet Arvizo ever disclosed the rental payments you were making on her behalf to welfare authorities in Los Angeles?
A. Sir, I believe that those checks that I wrote to Mr. Trujillo for her apartment on Soto Street were in relations to the welfare checks that she was receiving in the January, February time frame.
Q. So what you're saying, Major Jackson, under oath to this jury, is that you can guarantee that the rent checks you wrote to Mr. Trujillo on behalf of Janet Arvizo to pay rent came directly from her welfare checks; is that true?
A. I remember -- you need a "yes" or "no"?
Q. Yes.
A. Okay. I can't answer that "yes" or "no."
Q. Okay. All right. Do you know whether Janet Arvizo ever disclosed the financial assistance you were giving her on her income and expense declaration that she filed in her domestic case -- domestic relations case with David?
A. Did I not answer that already, sir? I said I don't even know what that document is, so I did not know that.
Q. Okay. And you didn't help her ever prepare 5910

a document like that, correct?
A. No, sir, I did not.
Q. Okay. Do you recall during January, February, and March of 2003 whether or not Janet Arvizo was depositing any checks into your account other than welfare and child support?
A. Well, she probably -- the child support began at some point after that, but I'm not sure. I'm not clear when that started, so I don't want to say it started in March. But it was soon thereafter, I think.
Q. Do you recall, during January, February, March and April of 2003, endorsing for deposit any checks written to Janet Arvizo that were other than welfare and child support?
A. Not that I'm aware of.
Q. Okay. During January, February, March and April of 2003, were you aware of any bank account Janet had set up at a bank called Washington Mutual in Los Angeles?
A. No, sir.
Q. During January, February, March and April of 2003, to your knowledge, was Janet Arvizo driving an automobile?
A. No, sir, she was not.
Q. Did you ever learn at some point that she had purchased an automobile?
A. I -- I believe at some point she later told 5911

me that she had put some money down on a car and then opted out of it.
Q. Do you know when that was?
A. I don't.
Q. Okay. During January, February, March and April of 2003, to your knowledge, did Janet Arvizo ever obtain any disability assistance from the state?
A. Not that I'm aware of.
Q. Okay. And during January, February, March and April of 2003, to your knowledge, did Janet Arvizo ever obtain any food stamp assistance?
A. I did see food stamps, yes, sir.
Q. Okay. And was that during the time she was living with you?
A. That was the time that she was visiting me at Bundy, and that was prior to November of '02. And I'm not sure exactly when that stopped.
Q. Okay. Were you -- excuse me. Did you know Janet Arvizo in November of 2001?
A. No, sir, I did not.
Q. Okay. When did you first meet her?
A. July of 2002.
Q. Now, in January, February, March and April of 2003, were Davellin, Gavin and Star living at your apartment at least part of the week?
A. Well, during -- of course in February and March they were gone almost the entire time. At 5912

least through the middle of March. But January, some of February and March, Davellin was not living with us, and Star and Gavin were living with us when they were -- when Janet was there.
Q. Okay. All right. And what I think you've told the jury is that Janet wanted to keep the Soto Street apartment but Mr. Jackson's people prevented that; is that what you're saying?
A. I know that -- I believed that we wanted to keep the apartment, so that is what I say, is that before she was whisked off to Miami, our intention was for her to keep the Soto Street apartment.
Q. Okay. When the Soto Street apartment was no longer rented by Janet, did she and the children live with you full time?
A. When the Jackson people shut down the apartment, she moved into my apartment after she left Neverland.
Q. Okay. Did you ever wonder why someone on welfare wanted two residences?
A. No, sir.
Q. Did you ever discuss with any prosecutor before you testified in this trial your having deposited Janet's welfare checks into your account at Bank of America?
A. No, sir. It wouldn't have been an issue.
Q. How do you know?
A. It's not an issue. 5913

MR. ZONEN: Objection; argumentative.
THE COURT: Sustained.
THE WITNESS: What does that have to do with anything?
Q. BY MR. MESEREAU: Have you ever discussed with any prosecutor before you testified in this trial anything about Janet's obtaining welfare assistance while she lived with you?
A. Wasn't my concern, sir.
Q. Has any prosecutor or sheriff ever showed you before you testified in this trial any documents relating to any kind of public assistance Janet Arvizo was receiving at any time from the County of Los Angeles?
A. No, sir, not that I recall.
Q. And has anyone associated with any prosecutor ever spoke to you on the phone about Janet Arvizo's receiving public assistance while associated with you?
A. Not that I can remember, no.
Q. Okay. To your knowledge, was Janet Arvizo receiving any welfare checks in the year 2002?
A. I don't know, sir.
Q. Do you recall depositing any of Janet Arvizo's welfare checks into your bank account during the year 2002?
A. If you have that, then I guess I did. I just don't remember. 5914

Q. Okay. Did you have any discussion with Janet at any time about why welfare checks were going through your sole account?
A. Please restate the question.
Q. Sure. Did you ever have any discussions with Janet Arvizo at any time as to why welfare checks were being deposited into your sole account?
A. Any check that would have been deposited in my account would have been to save her money from putting it through one of those check cashing places that charge 6 to 8 to 10 percent.
Q. Did you ever wonder why Janet didn't have her own bank account, to your knowledge?
A. No, sir, I didn't.
MR. MESEREAU: No further questions at this time.
THE COURT: All right. Redirect?

REDIRECT EXAMINATION
BY MR. ZONEN:
Q. Mr. Jackson, Major Jackson, good morning.
A. Good morning, Mr. Zonen.
Q. Do you recall the phone number that you had when you were living at the St. Andrews apartment? This is a challenge, isn't it?
A. Yes, it is.
Q. Would it help you to recall that phone number if I were to show you a phone bill? 5915

A. Yes, sir, it would.
MR. ZONEN: May I approach the witness?
I'm just going to show you something.
THE WITNESS: Okay. Yes, sir. That is.
Q. BY MR. ZONEN: Tell us what that phone number is.
A. Oh, great. (213) -- (213) 739-9279.
Q. You now remember that?
A. Yes, sir, I do. But don't walk away and ask me again.
Q. Mr. Mesereau had asked you questions about checks that you deposited into your account. Do you know where your wife, then your girlfriend, Janet Arvizo, was depositing checks that she was receiving for public assistance at that time?
A. She wasn't. She wasn't depositing them, as far as I know. She was cashing them at check cashing places.
Q. Do you know which places she was going to?
A. Not always. Sometimes we'd be going down the road and we'd stop at one of them on the side of the road.
Q. Did you have a discussion with her about the cost of doing that?
A. Yes, I did. That was the whole issue. I said, "They're charging you 6 or 8 percent to do that. Why don't you just deposit it into my account and I'll either write the check for your bills or 5916

I'll give you the money." I'm not sure which one I did.
Q. Mr. Mesereau asked you about paying her rent.
A. Yes, sir.
Q. How were you doing that? Where was the money coming from that you were writing checks?
A. From my Bank of America account.
Q. All right. And then the money that was coming into your account from the welfare check?
A. Yes, sir.
Q. Was that covering it?
A. Yes, sir. I believe the check was like 425.
Q. Give us a sense. The rent was about how much per month?
A. 425.
Q. And the public assistance check was about how much?
A. 700-some.
Q. And then did you write checks for utilities as well?
A. I believe I did. But I'm not absolutely positive.
Q. Was that covered as well by the amount of the welfare checks?
A. Yes, sir, it was.
Q. Do you know how she was paying her utility bills before? 5917

A. I don't.
Q. Did you ever see a checking account in her name?
A. No, sir, I did not.
Q. Did you ever see her sit down and write a check?
A. No, sir, I didn't.
Q. Did you ever see her with her own car during the time that you were dating her?
A. No, sir.
Q. Do you know how she was getting back and forth?
A. Bus.
Q. When you met her -- you met her at a -- one of the kid's military events, is that correct?
A. That's correct. Where I worked.
Q. And where you were working at that time was where?
A. It's at 311 COS-COM in Los Angeles, West Los Angeles, in the Sea Cadet Command and located within the building.
Q. And what would be involved in taking a bus from where she was living at that location?
A. You know what? I don't know how long it would take. But it was quite a long distance, so probably several hours to get there.
Q. At any time during the time that you were dating, did you see her drive her own car? 5918

A. No, sir, she never had her own car.
Q. You said that both of you wanted to maintain the Soto Street apartment in East Los Angeles?
A. That is correct.
Q. Tell us why.
A. Primarily it gave her a good place to go to when she was visiting her mother. She had some stuff that she had in the apartment that she was storing. And basically she just didn't want to give that apartment up because she really didn't feel that she was living with me. She was living there. But she was visiting me.
Q. Do you know when it was that she sent a letter that discontinued her welfare?
A. I don't, sir. I don't know exactly. I just heard about it.
Q. If I were to show you a copy of that letter, would that refresh your recollection?
A. It may. I'm not sure.
MR. ZONEN: May I approach the witness?
THE COURT: Yes.
THE WITNESS: Actually, I have seen that letter.
Q. BY MR. ZONEN: Does that letter refresh your recollection?
A. Yes, sir.
Q. And what is your recollection?
A. You know, just -- I remember the letter, but 5919

I'm not even sure when I saw it.
Q. Do you remember when you stopped depositing welfare checks into your account?
A. I don't know exactly when I stopped, because there were -- the child support payments coming in, so I was not concerned about it. I didn't know there was an issue with a welfare check versus a child support check versus anything else.
Q. Were the child support checks of a different amount than the welfare check?
A. Yes, sir, they were.
Q. Was the welfare check pretty consistently in the seven hundred --
THE COURT: They're not hearing you, Counsel.
MR. ZONEN: I'm sorry.
Q. The question previously was --
THE BAILIFF: Is your microphone on?
THE COURT: He had his book on it.
MR. ZONEN: I had the book on it, I'm sorry. I apologize.
Q. The welfare check, was that a fairly consistent amount every month?
A. Yes, sir. I believe it was 700-something dollars a month.
Q. The child support check, would that vary or was that consistent as well?
A. That varied. Always low.
Q. The amount -- the check that Mr. Mesereau 5920

showed you that was in May --
A. Yes, sir.
Q. -- did you believe that was a child support check?
A. I'm sure it's a child support check.
MR. ZONEN: Your Honor, I'm going to ask the Court take judicial notice of the fact that February 15, 2003, is a Saturday, February 16, 2003, is a Sunday. And I have a copy of the calendar to furnish the Court.
MR. MESEREAU: Sure. Sure.
THE COURT: No objection?
MR. MESEREAU: No objection, Your Honor.
THE COURT: All right. I'll take judicial notice of those dates and days.
Q. BY MR. ZONEN: You were asked yesterday by Mr. Mesereau whether or not the children went to school on February 15 and February 16 of 2003. Did the children traditionally attend school on Saturday and Sunday?
A. No, sir.
Q. I'd like to ask you questions about your discussion with Frank, wherein he offered you a house, and he offered you children's education, subsequently then asked if you were still waiting for a house.
A. Right.
Q. Tell me about your view of that offering of 5921

a house. How did you take it at the time he offered it?
A. The time -- the way I took it was, he wasn't offering to show me the contract. The bottom line was I really did not believe him. I did not believe that he was going to give us a house. I did not believe that he was going to give a college education. All of this was just -- just talk. That's the way I felt about it at the time.
Q. Why did you want to see the contract?
A. I wanted to see what it is -- what it was that the family was being required to do, and what rights they were signing away.
Q. You had the opportunity to listen to the tape of the Miller interview, that interview that took place in your home on presumably the 16th of February?
A. Yes, sir.
Q. At the very beginning everybody introduced themselves and you were not one of them; is that correct?
A. That's correct.
Q. Were you a witness to that particular event?
A. I did watch parts of it.
Q. Were you not asked to introduce yourself?
A. No, sir, I was not.
Q. Were you still in the room at that time?
A. Yes, sir, I was in the room. 5922

Q. Did you leave the room at different times?
A. I did, sir.
Q. At one point you were asked by Mr. Mesereau whether or not you stated to the grand jury that you watched the entire proceedings?
A. Correct.
Q. At another time he said, “Did you state to the grand jury whether you had listened to the entire proceedings?”
A. Correct.
Q. Did you listen to the entire proceedings?
A. No, sir. In fact, when they played, I didn’t really know much of anything was on there. I don’t recall.
Q. I’m sorry. Is there anything that you heard on that tape that you do recall?
A. The only thing that I do recall is something -- they were praising Michael Jackson, saying he didn’t touch them, something to that effect.
Q. At any time did you make an attempt to discuss with Janet Arvizo at the time, during this February and March period when she was at Neverland, what was going on?
A. Janet did not talk much. She would not explain to me why she was emotional, why she was crying. She wouldn’t tell me what was going on during this period. 5923

Q. Did you make an attempt to contact police during that time?
A. Yes, sir, I did.
Q. Who did you call?
A. After a short phone call with Janet where she appeared to be under duress, I made a phone call to the Santa Barbara Police Department. It was late at night. And they transferred me to the Santa Barbara Sheriff's Department.
Q. And did you talk with a deputy at the sheriff's department?
A. I talked to a sergeant.
Q. Do you know his name?
A. McCadden, I think. McCadden or something like that.
Q. Did you tell him about what was going on?
A. I was confused. I did not know what was happening. I talked to him. I initially tried to explain to him that I had a family that was at Neverland, and they appeared to be under duress. He didn't want to believe -- you know, "Is this a crank phone call? What was going on?" You know, I tried to say, "Look, I'm in the military. I'm not playing. This is" -- "They are" -- "They were on T.V."
Basically he finally said, "Well, why didn't she call 9-1-1?" And I said, "Well, I don't know why she didn't call 9-1-1, because she kind of hung 5924

1 up on me, and she made some kind of statement like,
2 'Oh, my gosh, here he comes,' and she hangs up on
3 me."
4 Q. Major Jackson, the next day, did they call
5 you back, from the sheriff's office?
6 A. Yes, sir, they did.
7 Q. And was Janet home at that point?
8 A. Janet was back in El Monte.
9 Q. And did you indicate to him that everything
10 was under control?
11 A. I did. He said, "Is she back?" I said,
12 "Yes, she is." And that ended the conversation.
13 Q. On a couple of occasions Mr. Mesereau
14 referred to your house in West Los Angeles?
15 A. Correct.
16 Q. Did you have a house in West L.A.?
17 A. No, sir. I had a two-bedroom apartment.
18 Q. Was this an apartment that you lived in with
19 Janet Arvizo?
20 A. Yes, sir, I did.
21 Q. And how many of her children?
22 A. Two of her children. Gavin and Star.
23 Q. And where was Davellin living at that time?
24 A. She was living with her grandmother.
25 Q. Did she visit?
26 A. Yes, she did. Pretty much every weekend.
27 Q. So she was there for the weekend?
28 A. Yes, sir. 5925

Q. You indicated just now that -- or earlier this morning, that at some point, Janet Arvizo became a signatory to your account?
A. Yes, sir.
Q. Do you know when that was? Were you already married?
A. You know, I'm not clear on that. It may have been after we got married. But I'm just not sure.
Q. Mr. Mesereau asked you about amounts of money that you were making and described it as base pay. What does that mean, base pay?
A. Base pay is -- in the military, you're given base pay, which is your -- basically your salary, which is taxable. And then you're given a housing allowance, which is nontaxable. And you're also given a food allowance, which is nontaxable.
Q. The base pay that was described, was that the amount of money that you received before or after taxes?
A. Before taxes.
Q. So taxes are deducted from that amount of money?
A. Yes, sir.
Q. Mr. Mesereau asked you about a Washington Mutual account established in 2003. Are you aware of any such account?
A. No, sir. 5926

Q. Did Janet ever mention to you a Washington Mutual account?
A. No, sir.
Q. Did she ever write a check on it in your presence?
A. No, sir. I never saw a checkbook.
Q. I'm sorry?
A. I never saw a checkbook.
Q. You never saw a checkbook.
A. So I know nothing about it.
MR. ZONEN: Thank you. I have no further questions.

RECROSS-EXAMINATION
BY MR. MESEREAU:
Q. Major Jackson, you called the police on Tuesday, February 11th, 2003, correct?
A. I don't have the specific date in front of me, but I believe it was right around that time, yes, sir.
Q. You told the police your girlfriend had flown to Florida with her children, right?
A. Miami, correct.
Q. Okay. You told the police that you'd received several telephone calls from her during the last few days, right?
A. Correct.
Q. Okay. And you were concerned about her 5927

welfare, correct?
A. That is correct.
Q. You then -- after discussing the situation with the police, you and the police officer concluded that Janet appeared to have unfettered access to a phone, true?
A. That she had called me, absolutely, yes, sir.
Q. Okay. And after your initial call, you received a call back from the police, true?
A. After talking to the police, Janet called me back and I told the police officer to call me back.
Q. Okay. And a police officer called you back, correct?
A. He did.
Q. You told the police officer in that conversation that Janet didn't think a 9-1-1 call was needed, true?
A. I did not tell him that.
Q. Would it refresh your recollection if I show you a copy of the police report?
A. I've seen the police report.
Q. You're aware of what the police officer says you said, correct?
A. I am.
Q. And you're saying you never told the police officer, "Ventura does not think a 9-1-1 call is needed at this time"? 5928

A. I told the police officer that Janet said she was going to be leaving the property in a vehicle at twelve o'clock, and that could the police intercept the vehicle. And his response was, is, "We cannot intercept a vehicle."
Q. Do you remember telling the police officer in that second conversation, "Jackson said he did not think Ventura was in any danger"?
A. No, sir, I don't.
Q. Would it refresh your recollection if I show you the police report?
A. I've seen -- I've seen the police report.
Q. You've seen the words he wrote about what you told him?
A. Yes, sir.
Q. So you know the police officer claims you said, "Ventura is not in any danger," correct?
A. Correct.
Q. And you're denying saying that, true?
A. I'm denying saying that.
Q. Okay. Now, you told the jury at one point Janet left the property, correct?
A. Please repeat the question.
Q. Yes. At one point, after your call to the police, Janet left the property, right?
A. That is correct.
Q. And when was that?
A. She called me early in the morning, so it 5929

1 was sometime that night.
2 Q. Okay. And is that the night of the day you
3 made the phone call?
4 A. I made the phone call late at night, so it
5 was early that morning.
6 Q. And -- okay. So early that morning, she
7 left Neverland?
8 A. She left Neverland.
9 Q. And how did she leave Neverland; do you
10 know?
11 A. I don't know for sure. I know she went to
12 El Monte.
13 Q. And you also learned that shortly after
14 that, she went back to Neverland, right?
15 A. After that she came back to my apartment.
16 Q. And did she then go back to Neverland again?
17 A. She received a bunch of phone calls from
18 Frank.
19 Q. Please answer my question, Major.
20 A. Yes, sir, she did go back to Neverland.
21 Q. Okay. And approximately when did she go
22 back to Neverland again?
23 A. It was probably a couple of days. I don't
24 have a specific -- it was probably two days.
25 Q. Okay. So you call the police. They don't
26 do anything?
27 A. Correct.
28 Q. You deny what they claim you said to them, 5930

1 that she wasn't in danger, correct?
2 MR. ZONEN: Objection. Argumentative and
3 asked and answered.
4 THE COURT: Sustained; asked and answered.
5 Q. BY MR. MESEREAU: She leaves the next day
6 from Neverland, right?
7 A. She leaves in the middle of the night.
8 Q. Okay. And goes to El Monte?
9 A. Correct.
10 Q. And then to your place, right?
11 A. Not that day, the next day.
12 Q. And then goes back to Neverland, right?
13 A. Bunch of phone calls, and she --
14 Q. Goes back?
15 A. Goes back to Neverland.
16 Q. And then when does she leave Neverland
17 again, to your knowledge?
18 A. She leaves Neverland that same day, same
19 night. She comes back late at night, by herself.
20 Q. And does she ever go back to Neverland
21 again?
22 A. After some phone calls, about every 15
23 minutes getting phone calls from Frank --
24 Q. I'm just asking you the question, Major, did
25 she ever go back to Neverland again?
26 A. Yes, sir, she did.
27 Q. After your calls to the police, she leaves
28 Neverland and goes back three times; is that 5931

1 correct?
2 A. She left Neverland -- I'd have to count it
3 up.
4 Q. Sound like three times to you?
5 MR. ZONEN: Objection. Asked and answered;
6 argumentative.
7 THE COURT: Overruled.
8 You may answer.
9 THE WITNESS: Okay. I believe it was two
10 times. One time she returned with her family. The
11 same night she showed back up, and then she returned
12 again to Neverland.
13 Q. BY MR. MESEREAU: How many times after your
14 call to the police do you believe Janet left
15 Neverland?
16 A. The night that she -- that I made the phone
17 call to the police, she left that night. Came back
18 to my apartment. Went back to Neverland, and came
19 back again that night, so there was two times.
20 Q. Did she ever go back a third time, to your
21 knowledge?
22 A. She did go back.
23 Q. So then she then left a third time?
24 A. You're giving me the numbers here. Let's
25 see. She -- she came back, she left Neverland, went
26 to El Monte. All right. So that's leaving
27 Neverland once.
28 Q. Right. 5932

A. She came to my apartment.
Q. Right.
A. Lots of phone calls. Went back to Neverland. Came back that night. Okay. Again, bunch of phone calls, and she returned back to Neverland. So that would be three times, yes.
Q. Okay. And every time she left Neverland, how was she transported? Do you have any idea?
A. How she left Neverland?
Q. Yes.
A. I don't have any idea, no, sir.
Q. Do you know who drove her every time she left Neverland?
A. I think I learned this after the fact, but I think Chris Carter brought her to my apartment when she came by herself.
Q. Every time she left Neverland someone employed by Mr. Jackson drove her, correct?
A. I -- I'm not clear on that, but I think that's probably true.
MR. ZONEN: Objection; speculative.
MR. MESEREAU: Okay. No further questions.
MR. ZONEN: I'd ask to reopen on an area that is beyond the scope of the redirect examination, very briefly.
THE COURT: All right.
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// 5933

FURTHER REDIRECT EXAMINATION
BY MR. ZONEN:
Q. Major Jackson, following Janet's return to your home on the final occasion --
A. Yes, sir.
Q. -- in March at this point, were you witness to any contacts from anybody by the name of Johnny?
A. Johnny, yes, sir, I was.
Q. All right. And who do you understand Johnny to be?
A. Johnny was supposedly either a security detail for Michael Jackson or somebody -- somebody that worked for Michael Jackson.
Q. And where did you see him?
A. I saw him on several occasions.
Q. And where was the first one?
A. The first time, I believe, is once the family returned back to my apartment on St. Andrews Place, Johnny apparently was showing up at the apartment and banging on the door, and the family was scared.
She -- Janet called me at work. And I rushed home, and I got into the apartment and -- I mean, the kids were holding knives. They were scared to death. And then all of a sudden we get a knock on the door and I opened the door, it's Johnny. So I slammed the door behind us, because I was concerned what he may do. And him and I were 5934

standing right nose to nose looking at each other, and I'm like, "What do you want?" And he said, "I just want to know how the children are." I said, "Well, the children are fine. Get off the property."
So he kind of looked at me and just walked away, so he left that day.
Q. When's the next time you saw him?
A. Again, my wife called me from -- at work, and at that time I guess she was my girlfriend, and said, "Johnny is back."
So I came back home. Came home again, and this was early evening. It was dusk. I pulled into the -- into the carport, and the -- and the garage door closes. It's like a chain-link fence. And I look out, and across the street is this guy trying to hide behind a car. And from a distance, it looks like Johnny. So of course --
MR. MESEREAU: Objection. Nonresponsive and narrative.
THE COURT: Narrative; sustained.
Q. BY MR. ZONEN: Did you go out to look at the person behind the car?
A. Yes, sir, I did. I walked out towards him and he immediately took off.
Q. Were you able to see him?
A. He had the same makeup and build of Johnny, but I cannot say for a fact it was Johnny. 5935

Q. Did you see what kind of car he was driving?
A. No, sir, I did not. He ran behind a building and took off.
Q. When was the next time you saw him?
A. The next time was, Janet was concerned about the children going back to school because the Jackson folks had her passports for the children. So she did not want -- let me back up. She went to the school. She was scared the children would be taken.
MR. MESEREAU: Objection. Objection; move to strike.
THE COURT: Stricken.
Q. BY MR. ZONEN: Tell us the next time you saw Johnny.
A. I saw Johnny at John Burroughs Middle School.
Q. About how long was this after Janet and the children returned to your home?
A. Two or three days.
Q. Where did you see him at the school?
A. I pulled in with Janet, we parked. I walked up to the breezeway where the children come out, because we didn't want them to be snatched, and --
MR. MESEREAU: Objection. Move to strike; nonresponsive.
THE COURT: Sustained. The last part's stricken. 5936

Q. BY MR. ZONEN: You walked up to the breezeway. What did you see?
A. Okay. I was standing there waiting for the children. Janet came running up to me and she said, “Johnny is here.” So I immediately ran out back to the car, grabbed a camera out of the car, because I wanted to get some kind of documentation that this guy was stalking this family.
And I ran up to his car, and he was in an old 280Z or 280ZX. And I was -- I was kind of -- my adrenaline was flowing, so I didn’t turn the camera on, but I ran up to him and I acted like I was taking pictures of him.
And, you know, John Burroughs, it’s a very tight situation there. Once you get in, you can hardly get out, and so he’s slinging the gears back and forth, trying to get away, but he can’t get out, because it’s all blocked up.
So I continued to take pictures of him, then I ran back over to the school, and I saw one of the counselors by the name of Mr. Davies. And I said, “Mr. Davies, there is a guy out here who is stalking Gavin and Star.” And I don’t know whether he saw that guy or not.
MR. MESEREAU: Objection. Nonresponsive; narrative.
THE COURT: As to the last sentence, I’ll strike it. 5937

THE WITNESS: Okay. So --
THE COURT: Ask the next question.
MR. ZONEN: Yes.
Q. Did you point out Johnny to Mr. Davies?
A. Yes, sir, I did.
Q. Were you actually in a position where you could see Johnny at that time?
A. Let me back up. I did not point him out. I said, “There is a guy out in the parking lot driving a 280Z that is stalking the children.”
Q. Okay. Did you give him a description of that vehicle?
A. Yes, I did.
Q. Okay. Including the color of the vehicle?
A. And -- I’m sure I did. I can’t remember now in my mind. And maybe it was a dirty gray or blue, but that’s speculation at this point. I don’t remember the color.
Q. Did you give him a description of Johnny at all?
A. Yes, sir, I did.
Q. All right. Did you see Johnny again thereafter?
A. I don’t think I saw Johnny again.
Q. Were you or Janet Arvizo receiving phone calls during that period of time after the kids finally and ultimately returned home?
MR. MESEREAU: Objection; leading. 5938

THE COURT: Overruled.
You may answer.
THE WITNESS: I know Janet was receiving some
phone calls.
Q. BY MR. ZONEN: All right. At which
residence?
A. At the St. Andrews apartment.
Q. That was your residence at the time?
A. That's correct, sir.
Q. Were you answering any of those calls?
A. No, sir, I was not.
MR. ZONEN: Your Honor, if I could approach
the witness.
THE COURT: All right.
Q. BY MR. ZONEN: I'd like to show you Exhibit
No. 26 for identification not yet in evidence. Can
you tell us who this person is?
A. That looks like Johnny.
Q. Do you know his last name?
A. I don't.
Q. How do you know his first name is "Johnny"?
A. Janet and the children said there's this
guy, "That's Johnny out there."
Q. Is that, in fact, him?
A. That is.
Q. Does that photograph accurately depict the
subject matter contained -- in other words, is this
an accurate, although not terribly complimentary, 5939

1 photo of Johnny?
2 A. Yes.
3 MR. ZONEN: Move 26 into evidence, please.
4 MR. MESEREAU: No objection.
5 THE COURT: It's admitted.
6 MR. ZONEN: I have no further questions.
7 THE COURT: Mr. Mesereau?
8 MR. MESEREAU: Yes, thank you, Your Honor.
9
10 FURTHER RECROSS-EXAMINATION
11 BY MR. MESEREAU:
12 Q. Mr. Jackson, at some point you learned that
13 Johnny was an investigator hired by Attorney Mark
14 Geragos to see if your family and a bunch of lawyers
15 were trying to extort Michael Jackson, true?
16 A. That would be incorrect.
17 Q. You never called the police on Johnny, true?
18 A. No, sir, I did not.
19 Q. And how many times do you think you've seen
20 Johnny?
21 A. I have probably seen Johnny three times.
22 Q. When was the first time?
23 A. The first time would have been the night
24 that he showed up at the apartment and I confronted
25 him out in front of my apartment door.
26 Q. Okay. And then you say he took off?
27 A. He just walked away.
28 Q. Okay. 5940

MR. MESEREAU: No further questions.
THE WITNESS: Thank you.
MR. ZONEN: Your Honor, could I publish that photograph, No. 26?
THE COURT: Yes.
THE BAILIFF: “Input 4,” please.
Q. BY MR. ZONEN: If you could turn around and look behind you. Is that, in fact, Exhibit No. 26, the person you identified as Johnny?
A. Yes, sir.
MR. ZONEN: Thank you. No further questions.
MR. MESEREAU: No further questions, Your Honor.
THE COURT: You may step down.
THE WITNESS: Thank you, sir.
THE COURT: Is your next witness --
MR. ZONEN: Yes, it is.
THE COURT: (To the jury) The next witness that is going to be called is Janet Arvizo, and it’s necessary that I have a hearing outside of the presence of the jury before she starts her testimony.
So I’m going to ask you to step out and we’ll call you back in shortly. We will take our normal break as it occurs. So I suspect you’ll have over half an hour here.
// 5941

(The following proceedings were held in open court outside the presence and hearing of the jury:)

MR. ZONEN: Did you want the witness in the courtroom?

THE COURT: Yes.

Come to the front of the courtroom, please.

When you get to the witness stand, please remain standing. Face the clerk and raise your right hand.

JANET JACKSON

Having been sworn, testified as follows:

THE WITNESS: Yes.

THE CLERK: Please be seated. State and spell your name for the record.

THE WITNESS: My name is Janet Jackson.

Spelled J-a-n-e-t, J-a-c-k-s-o-n.

THE CLERK: Thank you.

DIRECT EXAMINATION

BY MR. ZONEN:

Q. Mrs. Jackson, are you formerly known as Janet Ventura and then Janet Arvizo?

A. Yes, sir.

Q. And you currently go by “Mrs. Jackson”?

A. Yes. 5942

Q. And you are married to Jay Jackson?
A. Yes.
Q. Based on advice of counsel, have you advised the District Attorney's Office that you will be asserting the Fifth Amendment privilege as to any question asked of you about welfare recipience or applications for welfare during the period of time that you were on welfare?
A. Yes.
Q. Up until the time that you discontinued welfare?
A. Yes.
MR. ZONEN: No further questions.
THE COURT: Have you consulted an attorney regarding your claim of privilege here?
THE WITNESS: Yes, sir.
THE COURT: Is your attorney going to be here today?
THE WITNESS: No, sir.
THE COURT: Did you discuss the claim of privilege at length with him?
THE WITNESS: Yes, sir.
THE COURT: Do you believe you have sufficient knowledge to make the claim?
THE WITNESS: Yes, sir.
THE COURT: Do you feel you need any other legal advice concerning your claim of privilege?
THE WITNESS: Pardon me? 5943

THE COURT: Do you need any other legal advice?
THE WITNESS: No.
THE COURT: What's the District Attorney's intention as to how to deal with this?
MR. ZONEN: Your Honor, my understanding is that this witness will answer all questions put to her other than questions of her welfare application, questions that she answered in her welfare application or in receipt of welfare benefits. We intend on proceeding with our direct examination. We're not going to ask her any questions about welfare recipience. And I'm assuming that the assertion of the Fifth will be done at this time. And I don't believe that -- well, our position is stated thereafter in our pleadings.
THE COURT: All right. Do you, in fact, make a claim under the Fifth Amendment of the United States Constitution against self-incrimination?
THE WITNESS: Yes, sir.
THE COURT: And to what areas do you relate that claim, are you making that claim?
THE WITNESS: To what he said.
THE COURT: I'd like to hear it from you.
THE WITNESS: Of everything to do with the welfare; the application, the process.
THE COURT: During what time period? 5944

THE WITNESS: The period of when I began
till I ended.
THE COURT: But when was that?
THE WITNESS: Oh, I'm sorry. That was
approximately October -- approximately October 2001
to November 2000 -- no, apologize. March 2003.
THE COURT: So the claim would involve -- the
claim of privilege would involve claims made between
October of 2001 and March -- through March of 2003?
THE WITNESS: Yes, sir.
THE COURT: Has the District Attorney
considered giving this witness immunity on that
issue?
MR. ZONEN: We have -- we're not terribly
interested in giving a grant of immunity.
THE COURT: All right. We have -- points and
authorities have been filed. And my thought is
there's no reason for you to ask her any questions.
But if you think there is, tell me why.
MR. SANGER: I don't believe -- Mr. Mesereau
will be handling the witness, but I'm handling this
legal issue, if we can bifurcate that, Your Honor.
As far as the questions right now, I don't
think there's any point in asking additional
questions. The factual issue is set out.
THE COURT: All right. What I'm going to ask
you to do is to step down from the witness stand,
and just sit behind counsel while we have argument 5945

on this issue.
THE WITNESS: Thank you.
MR. ZONEN: Your Honor, before we proceed, the Court will note that Detective Victor Alvarez is currently in court. As the Court knows, Steve Robel is out on -- Sergeant Robel is out on family emergency for the week. And we've asked the Court's indulgence to allow us to have a separate investigator here during the balance of the week. And I believe the Court has said we could do that subject to the consent of the defense, and they've agreed.
MR. MESEREAU: We don't object to that.
MR. SANGER: We didn't object to that. But we did talk to Mr. Zonen about this, and we do have two investigators, one in Los Angeles, and one up here. Neither one is going to be here routinely, but we had asked their consent to allow those two investigators to -- either one to come in just one at a time. Mr. Zonen would not object to that, if that's all right with the Court.
THE COURT: All right. Your agreement is fine with me.
MR. SANGER: Thank you, Your Honor.
THE COURT: Maybe -- knowing you, it's not likely you're going to complete your argument in two minutes, is it?
(Laughter.) 5946

MR. SANGER: Not with that kind of encouragement, Your Honor.

(Laughter.)

THE COURT: Let's take our break. And then we'll have our argument.

(Recess taken.)

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REPORTER'S CERTIFICATE

THE PEOPLE OF THE STATE)
OF CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

I, MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304, Official Court Reporter, do hereby certify:

That the foregoing pages 5894 through 5947 contain a true and correct transcript of the proceedings had in the within and above-entitled matter as by me taken down in shorthand writing at said proceedings on April 13, 2005, and thereafter reduced to typewriting by computer-aided transcription under my direction.

DATED: Santa Maria, California, April 13, 2005.

MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA BARBARA
SANTA MARIA BRANCH; COOK STREET DIVISION
DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

THE PEOPLE OF THE STATE OF)
CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, APRIL 13, 2005

8:30 A.M.

(PAGES 5949 THROUGH 6139)

REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304
BY: Official Court Reporter 5949

1 APPEARANCES OF COUNSEL:
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28 5950

I N D E X

Note: Mr. Sneddon is listed as “SN” on index.
Mr. Zonen is listed as “Z” on index. Mr. Auchincloss is listed as “A” on index.
Mr. Mesereau is listed as “M” on index. Ms. Yu is listed as “Y” on index.
Mr. Sanger is listed as “SA” on index. Mr. Oxman is listed as “O” on index.

PLAINTIFF’S WITNESSES	DIRECT	CROSS	REDIRECT	RECROSS
JACKSON, Janet	5977-Z			

1 E X H I B I T S
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3 FOR IN PLAINTIFF'S NO. DESCRIPTION I.D. EVID.
4
5 807 Handwritten Document 6051 6052
6 808 Diagram of plane interior 6070 6073
7 809 CD of telephone conversations 6111
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(The following proceedings were held in open court outside the presence and hearing of the jury:)

THE COURT: Mr. Sanger?

MR. SANGER: Yes, sir. I think the best place to look for the organization, such as it is, of our argument is in our supplemental brief that we filed yesterday that goes through the analysis, really, of the remedies, because that's the problem that we have.

The first -- the first issue, I think, is pretty clear, but a witness cannot take the Fifth on a material issue and have their testimony considered by the jury. I think the law is very clear on that.

So if the People call someone and they say, "We want to get out A, B and C," and then after we get that information out, the defense is not going to be allowed to confront and cross-examine on D, E and F, the entire testimony would be stricken.

Quite often this comes up when the witness takes the stand, testifies, and in the middle of cross-examination wants to take the Fifth, and the Court at that time has no choice but to strike the entire testimony, because you can't allow a witness to pick and choose what he or she is going to be subject to on cross-examination. If that's the case, then obviously the remedy at this point is to

not allow the witness to be called at all.
The question of materiality, which we
briefly -- I'll address a little more fully just
because, obviously, we didn't have a lot of time to
file things on either side, obviously, the welfare
applications in this case are extensive, and they
cover in detail the particular issues that relate to
things that have come out through Major Jackson's
testimony and pertain to the precise time period
that we're talking about here, the time period
during which Miss Arvizo and her children were
importuning Mr. Jackson to assist them through 2000
and 2001, on into 2002, and of course during the
critical periods in 2003, from early February to mid
March.
During this period of time, Miss Arvizo was
not only accepting welfare, food stamps, disability
unemployment, but she was also making applications
to the Family Law Court. In her extensive statement
under oath and specific questions under oath, she in
essence denies that she has any bank accounts,
whereas we know she had bank accounts as a result of
a substantial settlement from J.C. Penney's; that
she has any money, and for the same reason, that's
false; that she's received any money from anyone,
and we know that's false from other testimony we
have so far; that she is living with anyone, and we
know that's false, based on the testimony of Major 5954

Jackson that she's receiving any assistance in that regard; that she has a vehicle to drive, whether or not she owns it.

And there are extensive questions that are answered in a way that is clear that it is perjury, and that is a felony. It is also fraud. And as a matter of constitutional right, a defendant is allowed to confront and cross-examine and is entitled to confront and cross-examine a witness who seeks to testify against him.

This witness seeks to make all sorts of allegations, as we understand it, against Mr. Jackson. He has a right, through his counsel, to vigorously cross-examine this witness and show that she has committed acts of perjury and acts of fraud, to show that she is not credible, number one. And number two, to show she is doing this during the very same period that she is making allegations in this case against Mr. Jackson.

In addition to that, there are a number of very specific factual tie-ins beyond the fraud and the perjury and the credibility. There are factual tie-ins that we would not be allowed to explore, were the District Attorney to get his wish and allow her to just testify unscathed.

Factual tie-ins include allegations that she could not -- that she was imprisoned somehow, and at the same time she is making applications, she is 5955

receiving welfare checks. She's able to deposit them. She is able to fax a letter telling the welfare department that she no longer wishes to receive welfare, which we maintain is tied to her belief that she is going to be making money and having security based on what she's trying to establish with Mr. Jackson. All of those things, were the District Attorney to get their wish, would be excluded and we would not be allowed to confront and cross-examine her on these inconsistent acts that are inconsistent with her allegations.
We also have some acts, such as the paying of rent on the Soto Street apartment, and the Court has already heard Major Jackson's somewhat, I'd say, incredible, but, I mean, certainly it didn't make sense to me, remarks about needing to have the two residences. Additional information comes out about that and will come out that, in fact, she got Brad Miller to pay her rent, she got Jay Jackson to pay her rent, and she got the Trujillos, who own the place, to forgive her rent, based on her claims that she was not able to afford the rent because of Gavin's illness.
So those acts of multiple fraud with regard to that location presumably would come within this same ambit, at least portions of it. Even if we're allowed to ask part of that, a good portion of that cross-examination would be precluded. 5956

Having said that, and without belaboring
that any further, unless the Court has questions,
that's the materiality. There's just no question
these are material issues, particularly in a
criminal case where you have a constitutional right
to confront and cross-examine.
THE COURT: But you wouldn't be precluded
from proving those items through other witnesses.
You would only be precluded from asking her those
questions that relate to the welfare fraud.
MR. SANGER: Right. And we've addressed
that issue briefly --
THE COURT: I know.
MR. SANGER: -- in here.
And the answer to that, I think, is that,
you know, the right to confront and cross-examine is
extremely important because of a variety of things.
Number one, it comes at this stage of the
proceedings. If the prosecution's position were
adopted, and we were not allowed to inquire, and the
jury is not allowed to know about any of this, they
would see a witness get up there, be relatively
unscathed as to a major part of the -- of the issue
with regard to her credibility and as to major
issues with regard to activities that she engaged in
during this period of time. We would then be denied
the right to confront and cross-examine.
There's a great quote that we presented to 5957

the Court to the effect that that's a very effective
part of the process, the legal process in general,
and it is a constitutional part of the criminal
legal process to vigorously cross-examine. That is
one of the aspects of our system that helps us try
to obtain the truth and get to the bottom of things.
If we were not allowed to do that,
timing-wise, we would not be able to even present
this until after the People rested. So, we would be
in a position where this jury is going to hear this,
they would not be allowed to hear anything to the
contrary, she would leave the stand unscathed, and
then eventually, through laboriously presenting
custodians of records and presenting other evidence
from other sources, we would eventually build the
case that we have to show that she, in fact,
committed welfare fraud.
It comes, you know, certainly a day late or
a month or two months or three months late in the
proceedings. And I believe constitutionally, we're
deprived of that very important right, and that's
why that right exists. We don't have to wait until
two or three months later to put on evidence
incrementally. We're allowed to confront her right
off the bat and say, "Isn't it a fact that this
happened?"
Now, in addition to that, Mr. Sneddon, in
his opening statement, got up and told the Court, 5958

and told the jury, that she was going to take responsibility for her welfare fraud, and that it wasn't that big a deal anyway, but she would take responsibility. She's done things that were wrong or that she was not proud of, "But," you know, "ladies and gentlemen, don't worry about that, because she's going to take responsibility and tell you honestly what happened here."

Well, if the People were to get their way, the prosecution was going to get its way in this case, she would not do that, and that would not happen.

What's more harmful to our situation, from the -- from Mr. Jackson's standpoint, is that based on those statements made by the prosecution in opening, Mr. Mesereau, on behalf of the defense and Mr. Jackson, got up and made a substantial statement, a series of statements in his opening statement to the effect that we were going to prove X, Y and Z, and that is going to be now swept under the rug, as it were, if the prosecution were to get its way, until such time as we could then present this incrementally during the defense. So it would be extremely prejudicial and it would -- it would be a denial of confrontation.

So that is why I believe that we get past that point. I believe that based on the case law and the Constitution, we just can't carve out safe 5959

harbors for a witness and allow that witness to testify to what the prosecution wants and not testify to other relevant matters, some of which have already started to come in through Mr. Jackson, or Major Jackson.

Now, that takes us to the next point: What does the Court do? And I think that the only remedy at this point is to strike her -- or not strike her testimony, but to disallow it. You can't have a half cross-examined witness in a criminal case.

If the Court does that, we then get to the next problem, which is what do we do with this trial as it stands now?

And we've suggested that the only remedy is to declare a mistrial, because the prosecution has said they were going to present this. We have spent a good deal of time in opening focusing on Janet Arvizo as a witness and her lack of credibility. She is also the kingpin of what they claim was going to be their case for conspiracy. She is the basis for a lot of what they are claiming will be tied up later to establish co-conspirators for the purpose of all the conditional admissions of testimony that the Court has allowed.

Can we unring this bell if she doesn't testify? Even were the Court to grant an 1118.1 motion at the end of the prosecution's case on conspiracy, it would contaminate the entire trial. 5960

So I think that the remedy, if the Court excludes her testimony, which it has to do, is to then grant a mistrial.

Now, the reason I raise that at this point is that we have suggested that if the Court were going to deny a mistrial -- this is convoluted, but I think we have to go full circle and come back. If the Court were to deny a mistrial, there might be a way to handle this. We're not prepared to concede that it's going to do the trick and that it's constitutionally adequate. But if the Court were to deny a mistrial, one way to handle this would be to allow the witness to testify and to take the Fifth in front of the jury.

Now, it's not for the purpose of embarrassing Miss Arvizo. But more importantly, she is not a stakeholder. She has no stake in whether or not the jury hears that she's taking the Fifth.

If she were a litigant in the case and a stakeholder in the case itself, the Court might say, "Well, that's unfair," in the context of requiring her to either take the Fifth or, as in the Pacers case, for instance, lose the ability to litigate a civil case.

Under -- the Court's familiar with Pacers.

I mean, the balancing was, you can't make somebody lose their civil case or choose to waive their Fifth Amendment right to win it. But that's where the person who was facing that issue is a stakeholder in 5961

the litigation.
Miss Arvizo is not a stakeholder in this
litigation. Therefore, asserting the Fifth, as
she's just done in public, in front of the world, is
no different than asserting the Fifth in front of
the jury, for her. It does not affect her. She is
not a stakeholder in the litigation.
What it does is some sort of rough justice
which would allow the jury to understand that the
promises made by Mr. Mesereau at the time of his
opening statement are promises that we intend to
keep. And that while we are not permitted to go
into this now, because she's asserting the Fifth,
we -- it is a clear message to the jury that this is
an issue that's still alive, and to keep an open
mind, and we will be presenting evidence at a later
time.
There was, of course -- and I don't want to
comment on the content of stipulations, but I
understand that Mr. Mesereau indicated that there
might be some way to stipulate around this. And I
just throw that out, not -- we're not trying to
force the prosecution to stipulate. But just as a
possible remedy, another remedy would be to enter
into some kind of a stipulation, if the prosecution
were willing to do it.
Absent those remedies, it seems that
following the law and looking at the Constitution on 5962

confrontation, the only choice that the Court has to -- the only choice the Court can make at this point is to exclude her entire testimony, and then the chips fall where they may, either a motion for a mistrial is made, and granted or denied, and then we go on to the next step.

The reason I address the motion for mistrial issue is because I think it's only fair to look at the horizon and see what happens, which might prompt everybody to resolve this some other way, whether it's by the Court's order or by stipulation.

Unless the Court has questions, I'll respond to the prosecution.

THE COURT: All right. Mr. Zonen?

MR. ZONEN: Your Honor, we've very thoroughly briefed this issue and I'm going to be very brief in my argument.

There's nothing that they're seeking to do in the course of this trial for purposes of impeaching her testimony by way of bringing in this information that they cannot do even in the absence of Miss Arvizo or Mrs. Jackson testifying to these matters. They have all the documentation necessary to be able to present the information that Mr. Mesereau said in his opening statement that they would be presenting, and all of this information can be adequately presented to the jury and in a very thorough way. 5963

She has a right, constitutional right, not to answer questions that would incriminate her. To a large extent, to some extent certainly, this is a problem of their own creation. Prior to the commencement of this trial, the defendant hired an attorney to present to the Los Angeles District Attorney's Office a compilation of material, along with a demand letter that she immediately be prosecuted for this matter. So the fact that she's now asserting the Fifth is certainly -- and they're denying that they did it, even though we have now shown that that same lawyer has filed writs to the California State Supreme Court on behalf of defendant as well.

It's certainly a right that she has to assert the Fifth as to any question that could tend to incriminate her. There's little question but that issues dealing with this matter could tend to incriminate her. Certainly the matter is currently before the Los Angeles District Attorney's Office. She has a right to do that. She has a right to do that outside the presence of the jury. The only reason that it would be done in front of the jury would be to prejudice her in her assertion of a constitutional right, and case law clearly states that that is not to be done.

This is a collateral matter entirely, has nothing to do with any activity that took place in 5964

Neverland, has nothing to do with any activity that took place at any other location involving the defendant, such as Miami. It has all to do entirely with credibility issues. And to that extent, since it is entirely with credibility issues, it is out of the gamut of any of those cases that talk in terms of court-imposed immunity.

And finally, the issue of a mistrial should be, of course, denied. There is no issue that cannot be presented to this jury in some other fashion. And so that would not be an appropriate remedy.

We'll submit it on our pleadings.

MR. SANGER: May I respond, briefly?

THE COURT: Let me ask him a question first.

MR. SANGER: Mr. Zonen or myself?

THE COURT: Mr. Zonen.

MR. SANGER: Okay.

THE COURT: The one issue is, if I deny the defendant's request to prevent her from testifying, should she be required to claim the privilege in front of the jury?

MR. ZONEN: I believe there's adequate cases that say that is not an obligation for a witness. And the motive in this case purely is for the jury to be able to surmise some negative connotation to asserting a constitutional protection. And I think that the case law is pretty clear that that is just 5965

not the implication that they're supposed to be given from the assertion of a constitutional right.
THE COURT: All right. Mr. Sanger?
MR. SANGER: I was going to respond to that precise remark that Mr. Zonen made, and therefore to the Court's question, which is Mr. Zonen said it's -- she has a right to assert the Fifth Amendment. There's absolutely no question about that. We all believe in the Fifth Amendment. And that's the law of this country.
She does not have a right not to assert it in front of the jury. That is not her right. That is a judicially created rule that is not hard and fast, but it was created to not allow unfairness in front of the jury. It has nothing to do with the witness, again, unless the witness is a stakeholder, which she's not. That would come under the Pacers kind of analysis.
So she does not have a right not to say it in front of the jury. She said it in front of the entire world here on the stand.
So the question is, can the Court fashion a remedy that may work? And we believe that that is at least a possibility, depending on how the Court does it. You know, we're not in a position to concede it.
And the only other thing I'd say, quickly, is that with regard to this being reported to the 5966

L.A. D.A., it was reported to the L.A. D.A. by somebody who's not a member of this particular defense team, and that's what we said. We didn't mean to imply anything else. However, Mr. Sneddon got up and said it was a crime. Certainly people are prosecuted for much less in Santa Barbara than what this person has done by way of welfare fraud, and it's reasonable for anybody to report it if they want to. I think that's a red herring.

The real issue comes down to what is the Court going to do about it? Just exclude her testimony entirely? Which leaves us with a can of worms and possibly a mistrial. Or can we find some other way around it? And that's where we are. And I submit it to the Court for a decision.

THE COURT: Thank you, Counsel.

Neither of you cited People vs. Hecker, 219 Cal.App.3d 1238, which is a 1990 case, where an appellate court reviewed a striking of testimony where a witness claimed the Fifth Amendment and indicated that that was, you know, too drastic of a solution for the problem.

The appellate court in that case observed that it might have been appropriate for the Court to have permitted the witness to testify, allow the jury to draw negative inferences from his invocation of the Fifth Amendment. And I think the instructions in the Hecker case are powerful 5967

instructions to this Court.
Therefore, the Court will deny the defense motion to prevent her from testifying, which also leads us to the -- takes us right on past the motion for a mistrial, which is denied also.
The next question becomes should she be required to claim the Fifth Amendment in front of the jury, and I have a suggestion here.
I'd like one member of each team to come forward and pick up my suggested jury instruction, and what -- the total intent of this instruction is to advise the jury of the problem that has arisen in this case because of the assertion of the Fifth Amendment.
So looking at the suggested instruction on top -- and you'll notice there's two instructions. Immediately behind that is CALJIC 2.25, which what I would intend to do is blend these instructions, so --
MR. SANGER: Your Honor, your intention would be to read this instruction before she testifies?
THE COURT: Right.
MR. SANGER: Okay.
THE COURT: What I would intend to do, if you will follow me and follow along, and we'll read it right now out loud, because I'm going to interject CALJIC 2.25 in here, so I would tell the jury, "In a 5968

hearing held outside your presence, the Court has determined that the Rules of Evidence preclude the parties in this case from examination or cross-examination of Janet Arvizo on the subject of possible welfare fraud."
Then I would interject 2.25, "When a witness refuses to testify in any matter relying on their constitutional privilege against self-incrimination, you must not draw from the exercise of this privilege any inference as to the believability of the witness or any other matter at issue in this trial."
Then going back to this instruction, "This is a ruling that was not anticipated when the attorneys made their opening statements to you. Those statements, however, are not evidence. You should not consider the failure of the prosecution or the defense to cover this subject area in the examination or cross-examination of this witness as having any evidentiary significance or any importance in your ultimate decision on the case, nor should you speculate as to the possible reasons for the Court's decision.
"Evidence of possible welfare fraud may still at some point be presented in this case, but it will not be introduced through the testimony of this witness."
So that's what I would propose. So, in 5969

essence, I'm not -- she's not required to make the claim in front of the jury, but I tell the jury that she's made that claim, and the same effect, and I explain to them why.

And, you know, I have a deep concern that both sides, but primarily -- well, I shouldn't say "primarily." Be careful how I say this. But both sides were relying on the fact that evidence of possible welfare fraud was going to come in and both made pretty strong statements in their opening statement about it, and I don't want to gloss over that with the jury. I think it needs to be brought to their attention so that -- and here's where I feel the more strong side is, so the defense -- so they're not wondering why the defense isn't producing the evidence that Mr. Mesereau stated he would produce in his opening statement.

So that's my proposal.

MR. SANGER: Could I be heard on just a couple of technical issues?

THE COURT: Yes.

MR. SANGER: I don't know how technical they are, but --

THE COURT: Probably pretty technical.

MR. SANGER: Well, it's actually fairly substantial in one sense. But the proposed instruction says "possible welfare fraud," and the other thing that we specifically talked about was 5970

perjury. And we'd ask the Court to add "perjury" to -- "welfare fraud and perjury." There's probably other things, but at the very least that covers the broad areas.

The other suggestion that I would have is that the Court -- that the first sentence in the suggested instruction - and we've had all of a minute and a half to consider this, okay? - but the first sentence that the Court suggests before reading the refusal of a witness to testify doesn't really indicate that the witness has refused to testify. It says, "The Court's determined that evidence" -- "the rules of evidence preclude the parties...."

Now, understanding that our prior motions were denied, and so this is without conceding that, we would ask that the Court indicate that the witness has refused to answer certain questions and the Court has granted the witness that privilege.

And then that moves into your 2.25, which explains what the refusal and the privilege is, and that the actual exercise of the privilege cannot be considered.

And the reason I suggest that is that otherwise - well, I understand what the Court was doing with this - otherwise, it appears -- it may appear to the jury that they're not to consider this whole area for some reason, and what you're really 5971

saying is they can't consider the refusal and the assertion of a privilege.
THE COURT: Right.
MR. SANGER: I'd just ask that that be clarified in that first sentence.
Thank you.
THE COURT: Did you want to say anything in response?
MR. ZONEN: I have no objection to the inclusion of the word "perjury," but -- I have no objection to the inclusion of the word "perjury," but as to the balance of it, I think the content of the instruction as drafted is adequate.
THE COURT: Okay. I think this is how I would like to do it. I think it solves the problem not exactly the way you wanted me to, but taking the suggested instruction paragraph starting with "In a hearing...," I'm going to add a sentence before that sentence.
So the first sentence would read: "The witness, Janet Arvizo, has made a claim of privilege under the Fifth Amendment of the United States Constitution." Then I go into, "In a hearing held outside your presence, the Court has determined that the rules of evidence preclude the parties...."
And then the next sentence is, "When a witness refuses to testify to any matter relying on a constitutional privilege...," so it all comes 5972

1 together there.
2 Okay?
3 MR. ZONEN: Yes.
4 MR. MESEREAU: Your Honor?
5 THE COURT: Yes, sir.
6 MR. MESEREAU: I would be cross-examining
7 the witness, and could I just ask a question? If
8 the prosecution tries to --
9 THE COURT: They can't hear you in the back.
10 MR. MESEREAU: Sure. I'll go up there.
11 Your Honor, I'll be cross-examining the
12 witness, and I suspect the prosecution is going to
13 try to ask questions to create the impression that
14 she's never asked anybody for money, which we can
15 prove is not true. The -- that raises the question
16 of, if they open that door, if they try and create
17 that impression, the question then becomes what can
18 we do to counteract it through proper use of
19 cross-examination? They've already suggested in
20 their calling other witnesses that this woman is
21 pristine pure and it's all her husband who was only
22 asking for money.
23 MR. ZONEN: Judge, we've gone beyond the
24 argument in this matter. And I'm going to object to
25 the use of dual counsel as to this motion as well.
26 THE COURT: I think that's good. I'm glad
27 you did.
28 I think we'll just deal with that -- 5973

MR. MESEREAU: Okay.
THE COURT: -- when we get to it.
MR. MESEREAU: If we could have the opportunity to approach sidebar, if necessary, on that, I would ask the Court's indulgence in that regard. Because I think an issue might come up and we do have to defend our client, Mr. Jackson, vigorously and professionally, and it does raise a thorny issue.
THE COURT: I'll deal with that as it comes up.
MR. MESEREAU: Okay. Thank you, Your Honor.
THE COURT: In a sense, what Mr. Mesereau was saying is that, you know, the claim of privilege is binding on everybody, and the prosecution as well as the defense have to stay away from those areas that would cause her to have to make continual claims in front of the jury. That's what this is about. Both sides are restricted in their questioning to areas outside of the alleged welfare fraud and resultant possible perjury.
And that's how I take your remarks, Mr. Mesereau. If they don't respect those lines, then what do you do? And we'll deal with that as it arises.
All right. What we're going to do is we're not going to recess. I'm going to step off the bench. We'll have the jury brought in immediately, 5974

and then we'll start.
I don't want the witness in the witness
stand, because I'm going to instruct the jury from
the witness chair. The witness has already been
sworn. I'll advise the jury of that.
Since she is now known as Mrs. Jackson, are
we going to refer to her mainly, for the most part,
as "Mrs. Arvizo" for the purposes of the
examination, or --
MR. ZONEN: She's requesting that I address
her as "Mrs. Jackson."
THE COURT: Well, that's fine. I didn't ask
you what she wanted.
(Laughter.)
THE COURT: I said, are we going to address
her as "Miss Arvizo," "Mrs. Arvizo"?
MR. MESEREAU: We would request that, Your
Honor.
THE COURT: The reason being, there's so many
documents, tapes and things, and I'm concerned about
the confusion to the jury of the names. That's all.
MR. ZONEN: Whatever is the Court's
direction.
THE COURT: I'll allow you to address the
issue with the witness in front of the jury, so that
they understand that I'm not going to require that
people address her as "Mrs. Jackson" in the trial,
because I don't want to have that problem of 5975

confusion over names. All right?
MR. ZONEN: Okay.
MR. MESEREAU: Thank you, Your Honor.
THE COURT: Bring in the jury.

(The following proceedings were held in open court in the presence and hearing of the jury:)

THE COURT: (To the jury) Here I am again.
(Laughter.)
THE COURT: I'm going to read you again some instructions, and remind you that at the end of the case, I will fully instruct you on all of the law involved in the case, but I'm instructing you at this time to specifically deal with a specific problem that's arisen in the evidence of the case. So I'd like you to listen carefully to this. The witness, Janet Arvizo, has made a claim of privilege under the Fifth Amendment of the United States Constitution. In a hearing held outside your presence, the Court has determined that the rules of evidence preclude the parties in this case from examination or cross-examination of Janet Arvizo on the subject of possible welfare fraud. When a witness refuses to testify to any matter relying on the constitutional privilege against self-incrimination, you must not draw from

the exercise of this privilege any inference as to the believability of the witness or any other matter at issue in this trial.

This is a ruling that was not anticipated when the attorneys made their opening statements to you. Those statements, however, are not evidence. You should not consider the failure of the prosecution or the defense to cover this subject area in the examination or cross-examination of this witness as having any evidentiary significance or any importance in your ultimate decision on the case, nor should you speculate as to the possible reasons for the Court's decision. Evidence of possible welfare fraud and perjury may still at some point be presented in this case, but it will not be introduced through the testimony of this witness.

You may call your witness to the stand.

MR. ZONEN: We'll call Janet Arvizo Jackson to the stand, please.

JANET JACKSON

Having been previously sworn, resumed the stand and testified further as follows:

THE COURT: Mrs. Arvizo, you were previously sworn.

THE WITNESS: Yes.

THE COURT: You may be seated. You are still 5977

under oath.
THE WITNESS: Thank you.

DIRECT EXAMINATION
BY MR. ZONEN:
Q. The name that you're currently going by is what name, please?
A. Janet Jackson.
Q. And you were previously Janet Arvizo; is that correct?
A. Yes.
Q. And your maiden name is Janet Ventura; is that right?
A. Yes. Correct.
Q. To the extent that you may, at different times in this proceeding, be referred to by any of those three names, that would be you; is that correct?
A. Yes.
Q. And you understand that there are documents that will be admitted and shown to you under the name "Janet Arvizo"?
A. Yes.
Q. And you understand that you'll be addressed as "Janet Arvizo" at different times during this proceeding as well?
A. Yes.
Q. You are currently married to whom? 5978

A. Jay Jackson.
Q. And what does Jay Jackson do?
A. He's a major in the Army.
Q. And with whom do you reside at this time?
A. With my husband and my four children.
Q. And your four children include the three who have already testified in this proceeding?
A. Yes, sir.
Q. Star, Gavin and Davellin?
A. Yes.
Q. And you have a baby at home; is that right?
A. Yes.
Q. And how old is he?
A. He's eight months.
Q. I'd like to direct your attention, please, back to the year 2000, as best I can. Can you tell me if, during that period of time, you were first introduced to Michael Jackson?
A. I'm sorry, say that again.
Q. When did you first meet Mr. Jackson?
A. In August of 2000.
Q. All right. And is Michael Jackson here in the courtroom at this time?
A. Yeah.
Q. And is he the man with the long dark hair?
A. Uh-huh.
Q. Sitting to my right?
A. Yes. 5979

Q. What were the circumstances of your introduction to Mr. Jackson?
A. My son's illness.
Q. Your son was suffering from what illness at the time?
A. Cancer.
Q. How is it that you happened to meet Mr. Jackson?
A. It was either two -- one of two people. I never knew who.
Q. Somebody arranged an introduction?
A. Yes.
Q. Was your son actively ill at that time?
A. Yes.
Q. What type of treatment was he receiving?
A. Chemotherapy.
Q. Was there a time that you and other members of your family were taken to Neverland?
A. Yes.
Q. And Neverland is a ranch in Santa Barbara County, is it not?
A. Yes.
Q. All right. Do you remember when that was, what month, what year?
A. August 2000.
Q. Did somebody take you there?
A. We were picked up, yes.
Q. Do you know who that person was? 5980

A. His limo.
Q. All right. And who among your family members went to Neverland back then?
A. My ex-husband David and my three children.
Q. And the three children are the ones we've already identified?
A. Yes.
Q. Okay. How old was Gavin at that time?
A. Gavin was ten.
Q. Had he already undergone surgery for his cancer?
A. Yes.
Q. And was he going through chemotherapy at the time?
A. Yes.
Q. Can you describe his condition at the time of that first visit to Neverland? How was he doing at that time?
A. He was at that point where walking was kind of difficult for him. He would walk, I don't know, when you -- kind of like a toddler walk.
Q. All right.
A. And he would tire easy.
Q. Was he taking medication at the time?
A. Yes.
Q. And --
A. The chemotherapy.
Q. And as a consequence of the surgery, has he 5981

since been taking medication?
A. Yes.
Q. What's the nature of the medication that he takes?
A. His -- one of his kidneys is malfunctioning, and so that -- he takes one medicine for that so he doesn't end up losing that kidney. He sees a specialist for that, but there's a possibility that he could lose his kidney.
Q. Okay. What's the other medication?
A. The other one is in replacement of his spleen, and that's for -- it's -- it's a medical word, but I really don't know what it means. They call it prophylactic, and that's so -- because there's certain bacteria that, if Gavin is exposed to those bacterias, it's certain death.
Q. It's an antibiotic of sorts?
A. Yes.
Q. It's for his immune system?
A. This is what they've explained to me. I don't know.
Q. During that first visit, do you recall how many days you stayed at Neverland?
A. No, I couldn't tell you.
Q. Do you know if it was more than one night?
A. Oh, yes.
Q. Can you tell us if it was as long as a week?
A. No. Definitely no. 5982

Q. And where did you stay during that first visit at Neverland?
A. Me and David stood in one room. And my children were supposed to stay in another room together, but it ended up just being Davellin.
Q. You and your husband then, David?
A. Yeah.
Q. And Davellin in one room?
A. Yes.
Q. And where did the boys stay?
A. With Michael.
Q. In his house?
A. Yes.
Q. Do you know where in his house that he stayed?
A. I know --
Q. Let me ask the question more specifically.
A. Sure.
Q. Do you know from personal observation -- in other words, did you see where they stayed? Not from what anybody told you, but did you see where they stayed?
A. No.
Q. During that first visit, did you ever go into Mr. Jackson's residence?
A. His residence -- there's an area where there's a -- like a kitchen area where everybody can go into, but the -- but -- it's -- it's open, you 5983

know, to that area, eating area.
Q. And that's the area you went into?
A. Yes.
Q. Did you go into his personal residence, his bedroom or his bedroom suite?
A. No.
Q. Have you ever been to --
A. No.
Q. -- his residence, his personal residence, meaning his bedroom suite?
A. That's right.
Q. And the answer is no, you had not been?
A. No.
Q. All right. During the period of time that you were there, did your sons ever stay in the guest cottage?
A. No.
Q. To your knowledge? To your recollection?
A. No.
Q. Did you then return, at the conclusion of that visit, back to your home?
A. Yes.
Q. Where was your home at that time?
A. Okay. It's -- can I explain to them?
Q. Well, try to focus on the question as best you can.
A. Okay.
Q. Did you have a residence at that time? 5984

A. Yes.
Q. Did you have actually more than one place where you or other members of your family were staying?
A. Me and the children, when Gavin -- right after he would have --
MR. MESEREAU: Objection; nonresponsive.
MR. ZONEN: You have to listen to the question.
THE WITNESS: Okay.
MR. ZONEN: Does the Court want to rule?
THE COURT: I thought you were going to take care of it.
MR. ZONEN: I was.
THE COURT: Well, go ahead.
Q. BY MR. ZONEN: Listen to the question as specifically as possible, okay?
Was there more than one residence that you and your family were staying in during this period of time?
A. I don't know how to answer that without explaining it.
Q. Did you have a residence that you were paying rent on?
A. Yes.
Q. Where was that?
A. In East L.A.
Q. Was there another residence that any member 5985

of your family was staying in?
A. At my mom's.
Q. Where was your mom's residence?
A. In El Monte.
Q. And who was staying at your mom's residence?
A. Gavin and David.
Q. Okay. And why was Gavin -- why were Gavin and David staying at your mother's residence in El Monte?
A. Because Davellin and Star were still going to school. I got three kids, you know. Only because Gavin has cancer doesn't mean the other ones, they're off. They got to go to school.
Q. All right. But --
A. And so --
Q. -- why was Gavin staying at your mother's?
A. Sterile room.
Q. Tell us --
A. Because in my bachelor apartment, there's no divided rooms, bedrooms.
Q. All right. So what did Gavin -- what special needs did Gavin require that necessitated him staying at your mother's?
A. A sterile room after chemotherapy.
Q. Could he or was he being exposed to your other two children?
A. Yes, my other two kids were still going to school, so they had to be separated for that moment, 5986

because the children could have picked up some other germs, which at the time Star was nine, and --
Q. So your then husband David and Gavin stayed at your mother's?
A. Yes.
Q. And the rest of you stayed at where?
A. East L.A.
Q. And the East L.A. was the Soto Street residence that --
A. Yes.
Q. -- we've heard something about; is that correct?
A. Yes.
Q. Describe that residence for us.
A. I've lived there for about five years.
Q. Tell us what it looked like, the residence.
A. Um --
Q. How many rooms?
A. It was my home.
Q. All right. But how many rooms? Was there a bedroom?
A. No.
Q. Was there a living room?
A. No. It was just a room and a wall to divide the kitchen.
Q. Okay. So there's a kitchen and one room?
A. Yeah.
Q. It's a studio; is that right? 5987

A. Yeah.
Q. And all of you lived in that residence?
A. Yes. And it had a rest room, too.
Q. And it had a bathroom?
A. Yes.
Q. And a kitchen?
A. Yeah.
BAILIFF CORTEZ: Could you lean forward so we can hear?
Q. BY MR. ZONEN: We're not picking on you. We need to have everybody, all of the witnesses, speak directly into the microphone so you can be heard.
A. Yeah.
Q. And for what period of time was this your residence? From when to when?
A. For five years. From 1998 to 2003.
Q. Okay. There's some Kleenex up there, if you need some, as well, I believe, in front of you. Now, during the period of time that Gavin was ill, did he stay at that residence on Soto Street at all?
A. No.
Q. Was he going to school during that year that he was ill?
A. He -- the whole entire time while he had cancer he did not attend school one single day.
Q. Was he either at your mother's residence or at the hospital? 5988

A. Yes.
Q. And did he periodically return to the hospital for treatment?
A. Yes.
Q. Can you tell us approximately within, say, a 30-day period how much of that time he would have spent at the hospital, how often of that time he would have spent at your mother's residence?
A. He didn't just stay for the chemotherapy. He was hospitalized -- sometimes because he had fevers, he had to get hospitalized. Any -- any fragility in his health, he had to be hospitalized.
Q. So give us a sense. Of the 30-day period, what percentage of that might he have spent in a hospital?
A. Sometimes. Sometimes more than half.
Q. All right.
A. Sometimes.
Q. How long did the chemotherapy go on?
A. Almost a year, but quite not a year.
Q. Was there a point in time where doctors determined that he was in remission?
A. Yes.
Q. And approximately when was that?
A. It was about in May, but for sure -- yeah.
Q. In May of when?
A. In May of 2001.
Q. May of 2001? 5989

A. Yes.
Q. Was there some kind of demarcation, a test or something that they did?
A. Yes.
Q. And what was that?
A. They did a full checkup, and they concluded that it was not -- it was in remission.
Q. Okay.
A. And then that's when -- he had to have a little thing going through his heart, his main artery, because he was receiving such strong dosages, so he had to have the strongest artery.
Q. And that was removed?
A. Yes, that was removed.
Q. All right. Is he in remission today?
A. Yes, he is.
Q. Is he healthy today?
A. Outside the -- the two specialists that see him continuously, his oncologist, his nephrologist, he's a healthy boy, but he's got medical concerns.
Q. And still sees a doctor?
A. Yes.
Q. And still takes medication?
A. Yes. And then the scare we just had where he had a very serious test.
MR. MESEREAU: Objection; nonresponsive.
MR. ZONEN: Hold on.
No objection to that. 5990

THE COURT: I'll allow the "Yes" and strike the rest of the sentence.
Q. BY MR. ZONEN: All right. Now, you described that first visit to Neverland back in August of 2000; is that correct?
A. Yes.
Q. All right. When was the next time you went to Neverland?
A. Me?
Q. Yes.
A. Oh, let me see. Um -- um -- September 2002, because Chris had invited me, Chris and Aja.
MR. MESEREAU: Objection; nonresponsive.
Q. BY MR. ZONEN: The answer (sic) simply is when was the next time you went?
A. Oh. September of 2002.
Q. Did your son or both of your sons or your two sons and daughter return to Neverland at an earlier time than that?
A. Yes.
Q. Excuse me.
When was the next time -- when was the next time that they went back to Neverland, to your recollection?
A. Okay. The boys?
Q. Yes.
A. The boys went right after the initial visit in August of 2000. But Davellin didn't go. Neither 5991

1 did I.
2 Q. Did your then husband David go?
3 A. Yes, with David.
4 Q. And were they transported there?
5 A. Yes.
6 Q. And why didn't you go?
7 A. I felt it was more important for Davellin to
8 focus on her school. She was already starting high
9 school, ninth grade.
10 Q. So you stayed home with Davellin?
11 A. Yes.
12 Q. And were there any other visits --
13 A. And because of the little incident that Dave
14 did over there.
15 Q. You've had problems with David over the
16 years of your marriage; is that correct?
17 A. Yeah.
18 Q. Do you know how many visits your children
19 had to Neverland after the initial visit, and
20 approximately when they were?
21 A. Okay. The first initial visit in August,
22 and these are all approximate, August of 2000. Then
23 the boys, when they returned with David, right after
24 that. Then in the spring of 2002, with Chris. And
25 then Michael invited them immediately back up. And
26 then with Chris's -- the family birthday party that
27 Chris had, Chris and Aja. And then the filming of
28 this stuff -- 5992

Q. All right.
A. -- in September.
Q. All right. You're not -- all right. Let's see if we can work this out a little bit.
We have the initial visit August of 2000.
A. Yes.
Q. And then you said they returned, your husband David and the two boys, soon thereafter?
A. Yes.
Q. And by "soon," are we talking about within a week or two?
A. Oh, yes.
Q. Okay. And do you know for what period of the visit they stayed, for how long?
A. And this is approximate, okay?
Q. Sure. Sure.
A. Pardon me?
Q. Approximately how long they stayed for the second visit.
A. Oh, I couldn't tell you.
Q. Would you know --
A. Just days.
Q. -- if it was more than one night?
A. Oh, definitely, yes.
Q. Was it less than a week?
A. Yes.
Q. And you were at home with Davellin?
A. Yes. 5993

Q. And was “home” at that time the Soto Street address?
A. Yes.
Q. Now, were there any other visits in that year, the year of 2000, to either Neverland or a visit with Michael Jackson at someplace other than Neverland?
A. Yes. Michael had invited Gavin and David to go to the Universal Hilton in Studio City, and that’s -- and in this time it was only Gavin in the hotel.
Q. Okay. Gavin and only Gavin, or Gavin and his father?
A. Only Gavin and David.
Q. So his father went, but not his brother or his sister?
A. No.
Q. And you didn’t go?
A. No. No.
Q. Was that an overnight visit?
A. No, it was a day visit.
Q. And they returned that same day?
A. Yes.
Q. All right. Was there any other visit in 2000 that you’re aware of?
A. No.
Q. Was there any visit in 2001 that you were aware of? 5994

A. Zero.
Q. No visits to Neverland during that time?
A. No.
Q. All right. Now, during that initial period when your son met Michael Jackson, did you have any telephone calls with Mr. Jackson at all?
A. Me?
Q. Yes.
A. In 2000?
Q. Yes. In 2000.
A. No.
Q. Do you know if Mr. Jackson was having conversations with your son over the telephone?
A. Yes.
Q. Do you know where those conversations took place? And I mean your son's end of the conversation, where he was at the time of those conversations?
A. Sometime in the hospital, but mostly at my mom's house. Gavin had his own room. And he had his own telephone line, his own -- his own answering machine, because usually they -- the doctor had suggested that sometimes when we use a phone, we can easily pass viruses or anything on the telephone.
Q. So he had a telephone that only he used?
A. Yes.
Q. That was at your mom's house?
A. Yes. 5995

Q. Now, did you ever -- were you ever present during any of these conversations?
A. Sometimes. Sometimes, but not -- they'd go on forever, so I'd -- you know, I have to go do other things.
Q. Approximately how long were these telephone conversations?
A. Hours.
Q. Literally hours?
A. Yes.
Q. And how frequent were they? In other words, how many conversations would they have in, say, a week period of time?
A. They were frequent. I couldn't -- I couldn't be able to tell you. But I know that after he met him, it was more.
Q. And did these phone calls go on for a length of time?
A. Yes.
Q. In other words, over weeks?
A. Yes.
Q. Approximately how many?
A. I can't remember.
Q. Now, you said that after that third visit at the hotel, there were no other visits --
A. Uh-huh.
Q. -- that either or any of your children had with Michael Jackson during the balance of 2000 or 5996

2001?
A. Correct.
Q. Do you know why that was?
A. Well --
MR. MESEREAU: Objection.
THE WITNESS: Because me.
MR. MESEREAU: Calls for speculation;
foundation; and hearsay.
THE COURT: Overruled.
You may answer.
THE WITNESS: Okay. What was the question?
Q. BY MR. ZONEN: Do you know why that was?
A. Because I just felt a little bit uneasy.
That's all. He didn't do nothing, you know. You
know, it just felt -- it just felt uneasy.
Q. Did you do something to stop communication
between your son and Michael Jackson?
A. Um -- um, yeah, I just expressed I was
uneasy about it.
Q. Okay. And you said no visits in the year
2001 as well?
A. That's right.
Q. When was the first visit in 2002?
A. That was with Chris Tucker and Aja. They
had built so much credibility with me, they took
my -- it was like everything was -- like doing
family activities together, and so when Chris had
asked me that he wanted to take the children to 5997

Neverland, I felt it was okay, because Chris -- you know, they're decent people, Chris and Aja.
Q. Chris Tucker is somebody who befriended your son --
A. Yes.
Q. -- during the time he was ill?
A. Yes.
Q. Did he actually know him prior to that?
A. No.
Q. There were a number of celebrities that did know your children --
A. Yes.
Q. -- prior to your son Gavin becoming ill.
A. Yes.
Q. And who were they?
A. Well, let me see. I don't know if you call them famous or something, but they're famous to me.
Q. People who had befriended your child --
A. Yes.
Q. -- or children prior to Gavin becoming ill?
A. For example, Wheezy. Her name is Louise Palanker. To me, she's famous.
Q. Who else?
A. Jamie, George Lopez, Fritz. And then Jamie had -- Jamie had, like, guests, comics that came, and celebrities, and so they would -- they met them there.
Q. The introduction to Chris Tucker was by 5998

whom?
A. By Jamie.
Q. Was that during the time that your son was ill?
A. Yes.
Q. And did Jamie Masada often visit your son at the hospital?
A. Oh, yes. Yes. Almost daily. My son even -- my -- Jamie would try to -- there came a point where Gavin wasn't eating because he was vomiting blood, because he was a very sick boy. And so Jamie was trying to get him to eat, and he'd -- Gavin had vomited on him, and that didn't keep him away. He still kept coming.
Q. Okay. Now, the visit to Neverland in 2002 with Mr. Tucker, do you know who arranged that?
A. Chris.
Q. And did he in fact take the kids there?
A. Yes.
Q. All right. How many kids went on that visit?
A. On the baby boy's birthday party?
Q. The first visit in 2002.
A. Oh, I see. The best I can remember, Chris -- this is another thing, too. Chris was working on a movie that he was trying to put together called "The President." And he took his writer, Kelly. And he took the kids because he says 5999

they're funny and they give him ideas, you know, by them joking around with him.
Q. Okay.
A. So --
Q. When do you think that first visit was?
A. The return, with Chris?
Q. The first visit in 2002 with Chris Tucker.
A. That was in spring.
Q. In spring?
A. Yes.
Q. All right. Now, the next visit to Neverland was approximately when?
A. Michael had invited the kids right after.
Q. Did he call the house?
A. Yes. Evvy did.
Q. Evvy called. Did she speak with you?
A. No.
Q. Who did she -- with whom did she speak?
A. Gavin.
Q. Do you know approximately how long that was after that first visit with Chris Tucker?
A. I can't remember right now, but -- I think it was Michael, too, but -- unless I know for a fact, I'll tell you, but that's the best I can remember.
Q. And did the kids in fact go at that time?
A. Yes.
Q. This is now still spring of 2002? 6000

A. Yes. Right after they were there with Chris.
Q. Was your husband still in the picture at that time, David?
A. No.
Q. Had you already separated?
A. Yes. I'd been separated from David since May of 2001.
Q. From the time of that separation, has David had contact with your children?
A. No.
Q. Was there an order that prohibited him from doing so?
A. Okay. During the summer, even though he was -- he had done the things he had done, during the summer I still tried -- I thought it was my fault, so I tried to encourage. I figured -- I figured he -- he can have some kind of -- start becoming or having a father relationship with them in the summer. But that ended when those criminal things --
Q. Was there a criminal prosecution of David?
A. Yes.
Q. Did -- was there actually more than one?
A. Yes.
Q. All right. One involving you, and one involving Davellin?
A. Yes, two different years. 6001

Q. Following those prosecutions, was there any
contact between David Arvizo and your children?
A. No, except for that one time that he had
violated the restraining order with Davellin.
Q. And you were in court?
A. Yes.
Q. Other than being in court --
A. Yes.
Q. -- was there any contact?
A. And then that violation of the restraining
order with Davellin.
Q. All right. Now, then the visit back to
Neverland by your children --
A. And this is all as best as I can remember.
Q. In 2002, when Mr. Jackson or Evvy called --
now, who did you understand Evvy to be?
A. Oh, his personal assistant, and his personal
secretary, and his personal everything.
Q. Did you ever meet Evvy in person?
A. Never met her.
Q. You had conversations on the phone?
A. Yes. A lot of conversation with her on the
phone.
Q. Did you have a conversation with her on this
occasion to arrange a return trip to Neverland with
your children?
A. Yes.
Q. Did you go? 6002

A. Not me. I didn't talk to her. It was Gavin that talked to her.
Q. Gavin did. All right. And did they in fact go back to Neverland?
A. Yes.
Q. Just the three of them?
A. Yes.
Q. Do you know how long they stayed at Neverland?
A. I think it was a couple of days.
Q. Do you know when this was, this return visit?
A. Right after the visit that they had gone with Chris and his writer.
Q. Do you think that was still in the spring?
A. That was definitely spring, 2002.
Q. Do you have a sense of what month that would have been?
A. No.
Q. Did anybody tell you that at that visit there might be a person filming a documentary?
A. No. That was spring. Now, this is -- then we go -- the baby boy's birthday party is about September. And then right after that is the -- that I come to find out now, that's when they did the filming for the Bashir tape.
Q. So I'm wrong on this one, but let's move on.
A. That's okay. 6003

Q. It was -- apparently the next visit in 2001 was what, now?
A. What's that?
Q. We have one where the three kids went on invitation from Evvy in spring.
A. Yes. That was --
Q. They were gone approximately how long?
A. About a couple of days, and that was right after being with Chris.
Q. Okay. And then they returned back to your home?
A. Yes.
Q. All right. And where are you still living at this point?
A. East L.A.
Q. This is the Soto Street address?
A. Yes, Soto Street address.
Q. Is Gavin at this point back at your residence with you?
A. Yes, yes, yes.
Q. He's no longer living in the --
A. No, no, no, no.
Q. Now, at some point around this period of time, you meet Jay Jackson; is that correct?
A. Yes.
Q. When did you meet Jay Jackson?
A. I met him -- I met Jay in July of 2002, but just met. You know, the children were attending 6004

this Sea Cadet program in his base. I don't know if you call it "base," but it's -- it's -- I don't know the appropriate -- correct thing. I used to do something. It's disrespectful, but it's funny. I would tell him that's the Sea Cadet Headquarters, but it was actually an Army base.

Q. The base was where, now?

A. In West L.A.

Q. Would you take the children there?

A. Yes, I did.

Q. The "children" were just the two boys?

A. Yes, just the two boys. But I was -- Davellin was involved with the LAPD Explorer program, but I was trying to see if Davellin would be interested in that, too.

Q. And is Davellin still involved in LAPD Explorers?

A. Yes. Well, to this day, no. Right now she's pretty busy. She's going to work and going to school.

Q. But she was with the LAPD Explorers?

A. Yes.

Q. For some period of time?

A. Yes.

Q. Now, this program, the Navy Sea Cadets, how is it that the boys became involved in that?

A. Okay. Someone had gone to their school and kind of explained what this program was. And then I 6005

got interested, because in the packet it said a lot of interesting things to do to help them with hopefully becoming a better person, so -- and leadership skills, so --
Q. Was there a charge for it?
A. There was a cost, depending on -- depending on your -- if you wanted to volunteer/no volunteer. Not volunteer for everything, but -- you know, in the little thing.
Q. But there wasn't a mandatory fee requirement for this?
A. As far as I know, there wasn't.
Q. Now, you would bring the boys to that location?
A. Yes.
Q. And how often did they go?
A. They went -- well, Gavin -- Gavin and Star volunteered for just about everything possible.
Q. Okay. But how often do you think you would take them there?
A. Okay. Twice a month, but because the boys were volunteering just about for everything, it would be more than twice a month.
Q. All right. And the location where you took them was where?
A. In West L.A.
Q. Did you have a car during this period of time? 6006

A. No, I didn't.
Q. From the time of your separation from David Arvizo, did you ever have a car during that time?
A. From like when -- let me see. About the end of spring or the beginning of summer of 2001, they had -- the car that they had given Gavin they took back.
Q. There was a vehicle -- actually, my question was after your separation with David Arvizo.
A. Yeah. It still stood for about one more month, about.
Q. So you had that car for about a month after your separation?
A. Yeah, probably less than a month, but I'm approximating.
Q. What kind of a vehicle was this?
A. It looked just like O.J. Simpson's car. It was the white -- I mean --
Q. A white Bronco?
A. Yeah. Yeah.
Q. All right.
A. Exactly. I mean, even to almost the year, but I'm not -- you know, it may be off, the years.
Q. And where did this vehicle come from?
A. From him.
Q. Was it brought back by David Arvizo?
A. What do you mean?
Q. Did he return in this vehicle from 6007

1 Neverland?
2 A. No, no. It was delivered to my mom's house.
3 Q. And then at some point in time, was the
4 vehicle returned?
5 A. Yes.
6 Q. Why was it returned?
7 A. Well, the -- the little thing when you turn
8 it on and off wouldn't work. Sometimes it would
9 work, and sometimes it wouldn't. And where I live,
10 you can't leave a car too long, because different
11 streets are assigned parking things and they would
12 tow the car away. And Michael had said if anything
13 ever got broken, to send it back and he'll have it
14 repaired. But it never came back.
15 Q. Did something break?
16 A. Yes. I had taken it to a place on Valley
17 Boulevard and they had told me that the -- an
18 alternator was -- I don't know what it is, but they
19 said an alternator.
20 Q. Okay. Some cars have those, I understand.
21 The car was then returned to Mr. Jackson?
22 A. Yes, sir.
23 Q. And did you ever see that vehicle again?
24 A. Never seen it again.
25 Q. Did you ever have a conversation with
26 Michael Jackson?
27 A. Yes.
28 Q. Did you ever have a conversation with 6008

1 Michael Jackson prior to 2002?
2 A. Prior to 2002?
3 Q. Yes.
4 A. No.
5 Q. Even that first visit to Neverland?
6 A. No.
7 Q. Was he there on that first visit in August
8 of 2000?
9 A. Yes. Yes. Yes.
10 Q. Did you meet with him at all?
11 A. Yes.
12 Q. Did you talk at all?
13 A. No. David was doing all the talking.
14 Q. Were you present with Mr. Jackson at
15 different times during that visit?
16 A. Yes. Yes, I was.
17 Q. Subsequent to that visit, after that visit,
18 did you ever have a telephone conversation with Mr.
19 Jackson?
20 A. No.
21 Q. Up until your return to Neverland with Chris
22 Tucker in the spring of 2002, did you ever have a
23 conversation --
24 A. I didn't go to the spring 2002.
25 Q. You didn't go on that one?
26 A. Yeah. It was just my kids.
27 Q. When was the next one that you went to?
28 A. Me? To Chris and Aja's baby boy's birthday 6009

party.
Q. And we were actually in the process of going chronologically through the different visits. Is that, in fact, the last one, Chris and Aja's birthday party?
A. Yes.
Q. And this was for their son?
A. Yes.
Q. What year birthday?
A. I can't remember, but he was little.
Q. He was a baby?
A. Well, not a baby, but little.
Q. All right. Who went to that?
A. Preschool age.
Q. Preschool, all right.
A. Yes.
Q. Who went to that?
A. The baby boy birthday party?
Q. Okay.
A. Just about all of Chris's family. His mom and his dad. Everybody. All his family, practically. He flew them in from Atlanta.
Q. And among your family, who went?
A. Me, my three kids, and Jay had also came.
Q. Now, were you at this time in a relationship with Major Jackson?
A. Not really.
Q. Were you dating? 6010

A. I was kind of a little bit, you know, hesitant.
Q. Okay.
A. I met him in July. But all we did was have phone conversations. It wasn't our first -- he considered it our first date. I really considered it just a ride to the boys' graduation from Sea Cadet.
Q. Okay. He did tell us that, and we won't tell him that you told us otherwise.
All right. Now, this visit to Neverland, was it overnight?
A. No.
Q. Did you return that same day?
A. Yes, and Chris had taken us on two of his buses.
Q. And the buses came and left from where?
A. From -- he had -- he had asked us all to meet outside this hotel, and then that's where we had left.
Q. Was Michael Jackson there during that birthday party?
A. No. No.
Q. You didn't see him at all?
A. No.
Q. When was the next time that your children went to Neverland after that?
A. For the filming. But make it very clear, I 6011

wasn’t -- now I know.
Q. The question was when was the next time?
A. It’s still in September.
Q. It was in September of 2002?
A. Yes.
Q. How did they happen to go to Neverland?
A. Because Evvy and Michael had called them over. And right before that, Gavin had -- had done a biopsy. So, you know, I thought -- I thought he was inviting him because of the biopsy.
Q. The biopsy result was favorable?
A. Yes.
Q. And all of you were rejoicing in his remission?
A. Yes. Yes.
MR. MESEREAU: Objection; leading.
THE COURT: Sustained.
Q. BY MR. ZONEN: Now, from whom did you receive a telephone call?
A. From -- from Evvy.
Q. And do you know if Michael --
A. But I didn’t talk to them. Evvy -- they hardly talked to me. It was always Gavin.
Q. So there was a phone call that came from Evvy?
A. Yes.
Q. How did you become aware of the fact that they were being invited back? 6012

A. Because Gavin had said that Evvy and Michael had invited them over to go have a day of fun.
Q. Okay.
A. And I figured -- I figured that Chris had communicated to Michael that he had -- you know, about his biopsy.
Q. Okay.
A. Because Chris and Aja were very involved with my kids.
Q. Was this a topic of discussion in the household at the time, the biopsy?
A. Yes. Yes.
Q. Now --
A. Because we were very fearful at that time that Gavin might lose his kidney.
Q. Okay. Now, you said “a day of fun.”
A. Yes.
Q. Was it anticipated that this would only be for one day?
A. Yes, but they ended up sleeping there.
Q. Were they there longer than one night?
A. No, just one night.
Q. Overnight?
A. So they actually ended up staying two days and one night.
Q. And you did not go?
A. No, I did not go.
Q. And did you have any telephone communication 6013

with Michael Jackson personally with regard to that trip?
A. No.
Q. Did you have any telephone communication with Evvy during that trip?
A. No.
Q. Do you know her last name, incidentally?
A. Yes, Tavasci.
Q. Tavasci, all right. Did the children come home at the end of that second day?
A. Yes.
Q. Now, when did you learn that there was a film crew that had been at Neverland?
A. Until he made me aware.
Q. “He” being Mr. Jackson?
A. Yes. Way in February.
Q. All right. So your children didn’t discuss with you that?
A. No.
Q. And you didn’t know about it?
A. No.
Q. Now, prior to your children going to Neverland on that particular visit, did either Mr. Jackson or Evvy or anybody else from Neverland notify you personally that there was going to be a film crew there?
A. No.
Q. Did anybody ask you to sign any 6014

1 documentation with regards to your children
2 appearing in a film?
3 A. No.
4 Q. Did you know anything about it at all?
5 A. No.
6 Q. Now --
7 A. But I know now.
8 Q. Okay. That was during the -- I think you
9 said the fall, September.
10 A. Yes. September.
11 Q. Am I right about that? I want to make sure
12 I am.
13 A. Yes, 2002.
14 Q. And when was the next visit after that one,
15 if you recall?
16 A. Of 2002?
17 Q. Yes.
18 A. The filming. When he called me up.
19 Q. All right. So there was no -- there were no
20 more visits in 2002?
21 A. No. Zero.
22 Q. Now, let's move on to 2003.
23 A. Okay.
24 Q. Did you receive a call from Michael Jackson?
25 A. Oh, yes.
26 Q. Did that call come to you or did it come to
27 another member of your family?
28 A. To Gavin. 6015

Q. At some point in time did you get on the telephone with Mr. Jackson?
A. Yes.
Q. Had you had any other conversation with Mr. Jackson prior to that day?
A. Prior to this day?
Q. Yeah. Prior to that day.
A. Zero.
Q. Zero. All right. Now, we've already talked about that first visit where you were face to face with Mr. Jackson.
A. Yes.
Q. Was there ever any occasion other than that first visit back in August of 2000 where you were face to face with Mr. Jackson up until this phone call in February of 2003?
A. Zero.
Q. Was there ever any occasion where you had a telephone conversation with Mr. Jackson?
A. Never. Except --
Q. Listen to the whole question. We're going to drive the reporter nuts if we don't let each one finish.
A. I'm sorry.
Q. Okay. Prior to this telephone conversation in February --
A. Okay.
Q. -- was there ever any occasion at all where 6016

you had a conversation with Mr. Jackson over the telephone?
A. No.
Q. Now, do you know the date of this telephone call?
A. I've come to find out per the investigation, but I still always forget. The only way I know is because he had told me about it, and it had aired in England prior to it airing here. So consider the time difference and all that. So definitely before it aired here, and after it aired over there.
Q. In England, all right. Tell me what you think is the date of that first appearance, if you know. If you don't know, just say so.
A. No, I don't know.
Q. Was it early February?
A. Yes.
Q. Now --
A. I mean, it -- every time they tell me, I -- I remember, but --
Q. It's all right. It's all right. Now, at the time of this telephone conversation from Mr. Jackson, were you aware of the documentary titled "Living with Michael Jackson"?
A. No, not the documentary.
Q. All right. This is prior to your telephone -- we're talking about prior to your telephone call from Mr. Jackson? 6017

A. Yes.
Q. Did you have any personal knowledge that a documentary had been prepared -- listen to the question -- that a documentary had been prepared and was titled “Living with Michael Jackson”?
A. No.
Q. Were you aware that such a documentary had actually been shown in England?
A. No.
Q. Had your kids mentioned to you at any time prior to this conversation with Mr. Jackson --
A. No.
Q. -- that they had participated in a filming of some kind?
A. No.
Q. Had the name “Martin Bashir” been raised in your household up to that point?
A. No.
Q. Did you know who Martin Bashir was?
A. No.
Q. All right. The telephone call from Mr. Jackson in early February that went to Gavin --
A. Uh-huh.
Q. -- did you at some point get on the telephone with him?
A. Yes.
Q. What did he tell you?
A. He had told me that -- well, this is -- 6018

Gavin's talking to him first. He had told me that
Gavin was in danger, and that there had to be a
press conference because of this Bashir man.
Q. All right. Now, did you know what he was
talking about, this Bashir matter?
A. No.
Q. Did you ask him to explain that?
A. No.
Q. Did he offer any explanation as to what that
was?
A. No. At first I was telling him, "No, no,
no, no, no, no," because he wanted him to come to
Miami. But when he told me, you know, "Janet,
David" --
Q. Mrs. Arvizo, why don't you hold on a second.
We're going to take it question by question.
A. Okay, sure.
Q. Listen carefully to the question asked, all
right?
A. Okay.
Q. Did he explain to you at any time what this
documentary was?
A. No. Not there, not on the phone.
Q. I understand -- we're just talking about the
phone conversation right now.
A. Oh, okay.
Q. Did he mention the name "Martin Bashir" in
this phone conversation? 6019

A. He just said “Bashir.”
Q. Okay. Did you know what that meant --
A. No.
Q. -- at that time?
He said to you that your child was in
danger?
A. Yes.
Q. What did he say with regards to your child
being in danger?
A. That he was receiving death threats.
Q. Did --
A. That he was in danger.
Q. Did that alarm you?
A. Yes.
Q. Did you believe what he said at that time?
A. It’s until he -- until he started telling me
that the children had shared with him about how
David was a bad guy, because my guard was here
(indicating). And when he started telling me those
things, oh, “waarrrrr.”
Q. All right. We’ll get to that in just a
second.
A. Okay.
Q. But right now with regards to your son being
in danger --
A. Okay.
Q. -- did he describe the nature of the danger
to you? 6020

A. Just death threats because of this Bashir thing.
Q. Did he tell you who the people were who were issuing the death threats?
A. No.
Q. Did he use the word “death threats” or the term “death threats”?
A. He said he was in danger.
Q. And did he mention any of your other children in that regard?
A. No. Not until we got there.
Q. How long was your conversation with Mr. Jackson?
A. Well, long enough to convince me.
Q. And approximately how long was that? Can you say that it was longer than ten minutes?
A. I wouldn’t be able to tell you.
Q. Now, at some point you said he started talking with you about your ex-husband.
A. Yes.
Q. What did he tell you with regards to your ex-husband?
A. He told me that the children had shared with him what the children had gone through. And then he had told me that he understands, and that he doesn’t want the children nor me around David anymore; that he’s a bad guy. And -- you know. And to me -- you know. 6021

Q. All right. So he was -- he was giving you information --
A. Yeah.
Q. -- about your ex-husband?
A. Yes.
Q. Now, what was your response to hearing that? How did you respond to that?
A. I was, like, wow, he understands.
Q. Now, had your kids ever told you that they had talked with him about David Arvizo?
A. No. That's -- no.
Q. Did that surprise you that he had that kind of information?
A. Yes, but I believed him. I believed him. And maybe they did, maybe my kids did.
Q. What did he ask you to do on this -- in this telephone call?
A. That Gavin -- that he needed Gavin to do a press conference, and he could protect him.
Q. Did he say where he was calling from, Mr. Jackson?
A. Miami.
Q. And did he tell you where this press conference was going to be?
A. In Miami.
Q. Did he tell you what he wanted Gavin to say in this press conference?
A. No. I don't remember. 6022

Q. Did you agree that Gavin could go to Miami?
A. No.
Q. What did you tell Mr. Jackson?
A. Well, I told him that if my son is in danger, then me and my kids have to go.
Q. Did you ask him at any time if he contacted the police?
A. No.
Q. Did you have any discussion with him about what he was doing to remedy this problem, this problem of danger?
A. No, I just trusted him.
Q. And I believe that you said -- in your answer again to the question of whether your son would go to Miami, what did you say?
A. No.
MR. MESEREAU: Objection; asked and answered.
THE WITNESS: I said no.
MR. ZONEN: I'll withdraw the question.
I'll withdraw the question.
THE COURT: All right.
Q. BY MR. ZONEN: Did you come to an agreement with Mr. Jackson as to who was going to go to Miami?
A. Yes, my kids and me.
Q. And "my kids," did you mean all three?
A. Yes.
Q. Why did you want to do that? 6023

A. Well, because if Gavin's going to be -- you know, if there's death threats, then I guess we all have to be together.
Q. Did he agree to that?
A. Yes.
Q. Did he say --
A. And actually, he's the one that was going that route.
Q. All right. And that was my next --
A. Because I had told him no.
Q. That was my next question. Who is it who suggested that the whole family --
A. Him.
Q. You need to wait until the question is asked in its entirety.
A. Okay.
Q. Who was this that suggested that the whole family go to Miami?
A. Michael.
Q. Did you then agree to that?
A. Yes.
Q. Did he tell you when he wanted you and the -- and your children --
A. (Indicating) like that.
Q. You need to wait till the question is asked.
A. Okay.
Q. Did he tell you when he wanted you and your children to go to Miami? 6024

A. Now.
Q. And by “now,” you meant immediately?
A. Immediately.
Q. All right. Was there some arrangement that was made either by Mr. Jackson or by some other person --
A. Him -- oh, sorry.
Q. -- or by some other person to get to you Miami?
A. Yes, Michael and Evvy.
Q. Did somebody contact you after the telephone call with Mr. Jackson?
A. Yes, Evvy.
Q. Yes. What was the arrangement that you were going to have to get to Miami?
A. That Gary Hearn, his personal, like, driver, the person who takes care of his cars, was going to fly with us on a commercial air flight to Miami.
Q. And where were your children at the time of this conversation?
A. Okay. Davellin was in school. And the boys were not in school.
Q. Did you have to make arrangements to get Davellin out of school?
A. No, actually Gary went to go pick her up after school.
Q. And from where did he pick her up?
A. From -- from -- I don’t remember. I think 6025

it was -- I think it was my mom's. I think he went to go pick her up from my mom's or East L.A., one of those. Best person to ask that is Davellin.
Q. Do you know where you were at the time of this phone call from Mr. Jackson?
A. Yes.
Q. Where?
A. Our phone in East L.A. had been disconnected. And so I had received a message from -- from Evvy that they had to be able to make contact, so I was in Jay's house.
Q. Where did that message come to?
A. What --
Q. The message that you received from Evvy was forwarded through whom?
A. It was both, Evvy and Michael, to Jay's.
Q. To Jay's house?
A. Yes, because I had no phone at that time.
Q. All right. Did you return a phone call --
A. Yes.
Q. -- or did they reach you there?
A. They actually -- it was a combination of everything.
Q. All right. Explain that.
A. They contacted me there, and I returned phone calls from there to Evvy.
Q. To Evvy.
A. Yes. 6026

Q. And then Mr. Jackson personally called?
A. Yes.
Q. And that was the conversation that both you and your son --
A. And Evvy had also left messages at my mom's house before that.
THE COURT: All right, Counsel. Let's take a break.
MR. ZONEN: Thank you.
(Recess taken.)
THE COURT: Go ahead.
MR. ZONEN: Thank you.
Q. Where we left off, you were talking about the telephone call from Mr. Jackson.
THE BAILIFF: Turn your microphone on, please.
MR. ZONEN: Thank you.
Q. Where we left off, we were speaking of the telephone call with Mr. Jackson and the arrangements for the trip to Florida before that. Let me ask you a couple other questions.
A. Okay.
Q. Had you been contacted prior to that phone call from Mr. Jackson in that early part of February by any member of the media or the press?
A. Yes.
Q. All right. Had you personally been contacted? 6027

A. What happened, this is how it happened: Two reporters -- they said they were two reporters. Who knows?
Okay. They had gone to my mom's house. My mom only speaks -- my mom only speaks Spanish. That's it. These two men, one of them was the speaker, kept telling my mom, "Gavin, cancer," and speaking in English.
And the only two things that stood out in my mom, even though she knows only Spanish, like certain words mean something to her.
And so they said, "Gavin, cancer; Gavin, cancer," and that stood out.
So my mom called me immediately, you know, "What's wrong with Gavin?" And she -- I go, "No, nothing's wrong, Mom. They're at school." And she goes, "Well, there's two men here telling me about Gavin and cancer."
And so she didn't know, so I thought maybe some -- some medical -- some --
Q. Let me stop you for a second.
A. Sure.
Q. This conversation was how long prior to the phone call from Mr. Jackson?
A. With -- I don't understand.
Q. The conversation with your mother about these two people who arrived.
A. Okay. They were still there while my mom 6028

was on the phone.
Q. I know. But this conversation was how long prior to your conversation with Mr. Jackson. Was it the same day?
A. It was -- it was within hours that Evvy contacted me next.
Q. All right. Now, are these the only two members of the press who contacted your family?
A. Yes.
Q. And anybody else from the media contact your family?
A. Oh, yeah. Afterwards.
Q. Afterwards?
A. Yes.
Q. But prior to your trip to Miami --
A. Prior to my trip, yes, that's it.
Q. Did you ever actually speak with these two people?
A. Well, my mom passed me the phone, and I spoke to him.
And he says, "We just happened to see your son in England." And I go, "No, if my" -- "I just dropped off my son at school. And if he's in England, he's in big trouble," you know.
And so -- and he was very vague. And I said, "You scared my mom. She only speaks Spanish, so please don't continue talking to her."
Q. Did you have an interview with either of 6029

these two people?
A. No.
MR. MESEREAU: Objection.
THE WITNESS: No.
MR. MESEREAU: The witness had not completed her response, I don't think, Your Honor.
THE WITNESS: No.
MR. ZONEN: You call it.
THE COURT: Why don't you just ask another question.
MR. ZONEN: Thank you.
Q. Did you actually have a conversation with either of those two people over the telephone?
A. Yes. One of them.
Q. All right. Did that person identify himself by name?
A. I think his name -- he said, "I'm a reporter from England. I just flew in and I have to fly out immediately."
Q. All right. Did he tell you what his name was?
A. I think it was -- I can't -- I think it was Mr. Garner. I think that's what it was.
Q. Garner or Gardner?
A. I think it was, yes.
Q. Did he tell you what publication he was with?
A. No, he just said, "I'm a reporter from 6030

England. I just flew in, and I have to fly back immediately."
Q. Did he tell you that he wanted to have an interview with you?
A. No.
Q. Did he discuss any particular issue with you?
A. He was very vague. What he wanted was for me to meet -- to -- to have a conversation with him, and -- but because he was vague, I didn't want to talk to him.
Q. Okay.
A. So I told him, "You're scaring my mom. And that's not my house, that's my mom's house. I live in Los Angeles."
Q. All right.
A. And that was it.
Q. All right.
A. As best as I can recall.
Q. This was a telephone conversation from which phone?
A. From my mom's.
Q. You happened to be there at the time of the call?
A. No, no. I'm over here in Los Angeles. My mom called me because she was scared, because these two guys were saying Gavin -- and a whole conversation. But the only thing that jumped out in 6031

my mom was “Gavin” and “cancer.”
Q. And then you called back from where?
A. There was no call back.
Q. All right. They called you when you were at your mom’s?
A. No, no.
Q. Tell us --
A. I was in Los Angeles. My mom was courteous and polite, you know. Handed her the phone, because I wanted to know what the nature of their visit, why they were saying “Gavin, cancer.”
Q. They were there in person?
A. Yes, yes. At my mom’s house.
Q. All right. Now, during the course of this conversation, did you discuss Michael Jackson at all?
A. No.
Q. Did they tell you they wanted to talk about Michael Jackson?
A. No.
MR. MESEREAU: Objection; leading.
THE WITNESS: No. All they said was --
THE COURT: Overruled.
THE WITNESS: -- they had seen Gavin in England.
Q. BY MR. ZONEN: How long was this conversation you had with him?
A. Just minutes. With the information that I 6032

just told you, if you want to time it, it's about
that long.
Q. Was that the only conversation that you had
with either one of them?
A. That's correct.
Q. On this day, prior to going to --
A. That day, only day.
Q. Never had any conversation --
A. Never.
Q. -- thereafter?
A. Zero. Double zero.
Q. At some point in time, did your then
boyfriend, Jay Jackson --
A. Yes.
Q. -- tell you that he had had conversations
with reporters?
A. Now I know, per this investigation. I know
a lot of things now per this conversation.
Q. Listen to the question, okay?
On that day prior to your going to Florida,
did Jay Jackson tell you that he had conversations
with reporters?
A. No.
Q. Did you have any conversation with Jay
Jackson prior to going to Florida about any
reporters at all?
A. No.
Q. Were you aware -- did any other reporter try 6033

to contact you prior to going to Florida?
A. No.
Q. In the course of this conversation with this person, Gardner or Garner, did he mention anything about a documentary?
A. No.
Q. Did he mention to you anything about your child having been on television?
A. He had said, “I have just seen Gavin in England.”
Q. All right. And you weren’t certain what that meant?
A. Yeah.
Q. All right. Now, when you were speaking with Mr. Jackson on the telephone --
A. Uh-huh.
Q. -- did you ask Mr. Jackson about whether or not your child had been on television?
A. No, I didn’t ask him.
Q. You didn’t him ask that question?
A. No.
Q. Did he offer any information about that?
A. No, not really. He was vague.
Q. In the course of your conversation with Michael Jackson, did he mention anything about this documentary having --
A. He said only the Bashir --
Q. Listen to the entirety of the question. 6034

A. Okay.
Q. Did he say anything to you about this documentary that had aired in England?
A. No.
Q. Did he mention the name of it, “Living with Michael Jackson”?
A. No.
Q. Did he mention Martin Bashir?
A. He didn’t say “Martin Bashir.” He said “Bashir.”
Q. All right. Did you ask him who that was or what that was about?
A. No. Until Miami. I found out more things.
Q. All right. Now, you then flew to Miami, I’m assuming.
A. Yes.
Q. And with whom did you fly to Miami?
A. With Chris and the kids and me.
Q. Do you know -- and Chris is Chris Tucker?
A. Yes.
Q. Do you know how he became involved at this stage?
A. Evvy contacted him.
Q. Evvy contacted him?
A. Yes, but I didn’t know about this until I got to the sidewalk, which Gary Hearn had meet us, and he says, “Guys, there’s a change of plans,” and that was it. 6035

Q. Did he then take you to a private --
A. No, he took us to Chris's house, and we spent some time there in Chris's house because we were waiting for Davellin to come. That's when we flew on a private jet.
Q. All right. And did you know that you were going to be taking a private jet?
A. Not until Gary told me.
Q. And the private jet took you straight to where?
A. Miami.
Q. And once in Miami, did they take you to a hotel?
A. Yes.
Q. Which hotel did they take you to?
A. The Turnberry.
Q. Can you describe that hotel for us?
A. It looks like a Las Vegas kind of hotel, except --
Q. Is it fancy?
A. Yeah. Without the slot machines.
Q. Without the slot machines.
All right. Now, did you meet up with Mr. Jackson when you got there?
A. No. No. We got right there until -- you know that time between -- before morningtime where it's really, really dark? That's the time we arrived. 6036

So we went straight to -- dropped off Chris in his room, and then we went to our room. And our room was right underneath his room. And Chris, they had set him up in a completely different building, away from me and the kids.
Q. All right. And your -- were you in a suite of some kind?
A. It was a -- it was two rooms connected. You know, I don't know if you know the hotels where you lock it and then there's two separate rooms? Well, they had unlocked it.
Q. Excuse me. I'm sorry.
And you were there with the three children?
A. Yes.
Q. Now, when did you see Michael Jackson after arriving?
A. In the daytime.
Q. Had you talked with anybody during the course of the trip about this danger that Mr. Jackson had spoken to you about?
A. No. No.
Q. When you got to the hotel, did you have a conversation finally with Mr. Jackson?
A. Yes.
Q. How long had you been at the hotel before you met up with Mr. Jackson?
A. Hours. Because we had arrived during that time and it was -- it was -- it was already the day 6037

of.
Q. Who else was present during the course of this conversation?
A. Okay. The conversation?
Q. Yes.
A. Just me and the kids and him.
Q. Did he talk with you about the issue of this danger to the children?
A. Yes.
Q. What did he say?
A. He spoke to all three of my kids and me, and he spoke in a very normal voice, very male voice. This is where I became aware that all three of my children were in danger. Told me to trust him, believe him, he's a father figure, be like -- like a father to all three of my kids. Basically telling us he's going to protect us, protect my kids; to do everything that Ronald and Dieter tell him, because this is what's going to fix the problem. He even had told me that he has read -- he knows what to do in this situation, because he's read hundreds of books on psychology, and he knows -- he knows what to do in these kind of things, of what kind of frame of mind that these people that were threatening my children are. He had -- he had cried. I just thought, you know, what a nice guy, you know.
Q. Hold on one second. 6038

1 This conversation took about how long?
2 A. Oh, gosh. About maybe a -- about 45
3 minutes.
4 Q. All right. Did you ask him specifically
5 about the nature of the threats to your children?
6 A. No, I was just like -- I was just like a
7 sponge, believing him, trusting him.
8 Q. Did he tell you the nature of the threats to
9 your children?
10 A. Because of the Bashir thing.
11 Q. But did he tell you who these people were?
12 A. No.
13 Q. At any point in time did he say to you that
14 the police were or were not being contacted?
15 A. No.
16 Q. Did he ask anything of you or your children
17 while you were there in this meeting?
18 A. In this meeting, no. No.
19 Q. Do you know why you were in Miami?
20 A. To do a press conference.
21 Q. Did he talk with you about a press
22 conference --
23 A. No.
24 Q. -- during this meeting?
25 He said something about Dieter and Ronald?
26 A. Yes.
27 Q. Were Dieter and Ronald people who you knew
28 prior to that day? 6039

A. No.
Q. Did you meet them that day?
A. Yes.
MR. ZONEN: All right. Your Honor, if I could approach the witness, please.
THE COURT: Yes.
Q. BY MR. ZONEN: I'm showing you two exhibits, if I can, No. 17 and No. 18 - all right? - in evidence. If you'll take a look at No. 17, can you tell us who that is?
A. That's Dieter.
Q. And do you know Dieter's last name?
A. I've come to find out per this investigation.
Q. Just tell us --
A. Dieter Weizner.
Q. All right. No. 18, do you know who this person is?
A. Ronald Konitzer.
Q. And those were the Ronald and Dieter that --
A. Yeah. Those Germans.
Q. And, in fact, are they German?
A. Yes.
Q. How do you know that?
A. Because they told me, and plus they speak German.
Q. Spoke among themselves in German?
A. Yes, yes. 6040

Q. Did you meet them that day?
A. Yes.
Q. Is there anything else that Mr. Jackson told you in the course of that meeting with him?
A. Oh, that he loves us; that he cares about us; that we're family; that we were in the back of the line, now we're in the front of the line, and because he's going to take care of us, protect us from these killers.
Let me see. What else?
That he's -- that he's not just a father figure to Gavin, to Star and to Davellin.
Let me see. What else?
And he's family to me and he's family to the kids.
Let me see. What else?
Q. Do you know if Mr. Jackson had ever had --
MR. MESEREAU: Objection. The witness has not completed her answer yet.
THE WITNESS: Oh, there's still more. When it pops up, I'll let you know.
THE COURT: Go ahead and ask your next question.
Q. BY MR. ZONEN: Do you know if Mr. Jackson had ever had such a similar conversation with your children?
A. With my kids?
Q. Yes. Prior to that day. 6041

A. Prior to the Bashir thing?
Q. Yes, where he talked about being family.
A. Yeah. In the initial visit in August, in 2000, all his -- like, all his people, for example, Evvy was the No. 1 one that was pointing out that, "I want you to see Michael as like family, all" -- "We see him and view him only as a father figure," so --
Q. Do you know if Mr. Jackson has ever said something like that to your children prior to Miami?
A. Actually, in a conversation with Gavin over the phone, that's when Gavin had told me one of the conversations.
Q. All right. Did you then have conversations with either Dieter or Ronald?
A. Prior to this?
Q. No. I think you had said that you never met them prior to that.
A. Yeah, that's right.
Q. After your conversation with Mr. Jackson, and he gave you some direction with regards to Dieter and Ronald, what specifically was it that he told you to do with Dieter and Ronald?
A. To listen and do everything they say, because they're going to fix the problem.
Q. Now, did you then have a conversation with either Dieter or Ronald?
A. Yes, I did. 6042

Q. Was it one or the other, or both?
A. Both.
Q. Was it at the same time or separately?
A. This was the same time.
Q. All right. And do you remember where you were when that conversation took place?
A. In Miami.
Q. Were you in the hotel?
A. Yes, in his room.
Q. In Mr. Jackson's room?
A. Yes.
Q. Was Mr. Jackson present?
A. Yes, he was. And he had sat me down, and he said, "Sit down right here," and those two sat next to me.
Q. Okay.
A. And then Michael was there.
Q. Who did the speaking?
A. Who did the speaking first?
Q. Yes.
A. Because they were all speaking.
Q. Well, all right, that's a valid point. Who is it who began the conversation?
A. Well, Michael.
Q. And what did he say when all of you were together?
A. He said, "This is Ronald and Dieter."
Because he had already had that 45-minute initial 6043

meeting.
Q. I understand.
A. And that's the point where he had taken off the jacket and handed -- and physically placed it on Gavin.
Q. All right. Well, let me ask you about that for a second. This was in the hotel room?
A. Yes.
Q. On the first day of your visit?
A. Yes.
Q. And it was the date of the flight, actually; is that right?
A. Yeah, because we had arrived there right before --
Q. In the morning?
A. Yeah.
Q. Now, he was wearing a jacket during the course of this conversation?
A. Yes. Yes.
Q. And he took the jacket off?
A. Yes.
Q. And did what with it?
A. Yes.
Q. What did he do with the jacket?
A. It was kind of like a -- it was after he was done with the conversation. He took off his jacket, and then he put it on Gavin. He told me he wanted him to wear it and not to take it off. 6044

Q. Was Star there as well?
A. Yes.
Q. Was Davellin there as well?
A. Yes.
Q. And both Dieter and Ronald were there at that time?
A. No, no. In the initial meeting with him?
Q. Yes.
A. Ron and Dieter were nowhere in sight of the hotel room.
Q. But at the time he handed your son his jacket, were either of them there?
A. No.
Q. Ronald or Dieter?
A. No.
Q. Now, let's get to the conversation when Ronald and Dieter are there.
A. Yes.
Q. Can you tell us what Ronald said during the course of that conversation?
MR. MESEREAU: Objection; hearsay.
MR. ZONEN: Statement in furtherance.
THE COURT: (To the jury) All right. I'm allowing this particular testimony for purposes limited to possible conspirator statements. You may only consider it for those purposes in accordance with my earlier instructions.
Q. BY MR. ZONEN: I believe it was Ronald I had 6045

asked you about. Tell us what Ronald said during this conversation.
A. Well, in this conversation, all they wanted to know was basically of -- of who I am, where I lived, my brothers, my mother. Just basically information from me and the kids. That's all.
Q. Did you give them that information?
A. Yeah, I did.
Q. At some point in time -- and was that with Dieter, as well, during that conversation?
A. Yeah. Yes.
Q. Did they give you any direction?
A. No. There was just -- they were just, you know, wanting information about me and my kids. And I had seen nothing incorrect about that, or wrong, because, you know, we just had that powwow with Michael.
Q. Did either one of them in this initial conversation talk to you about a danger that your children were experiencing?
A. In this one, no. No, they were just like absorbing all the information that they possibly could have.
Q. They were getting information from you?
A. Yes. From me and my kids. About our past, our present.
Q. Was Mr. Jackson present during the entirety -- 6046

A. Yes.
Q. Please wait till the question's answered (sic) in its entirety.
A. Okay.
Q. Was Mr. Jackson there during the entirety of that conversation?
A. Yes.
Q. Did he offer any other information during that conversation that you haven't told us about yet?
A. Best I can remember, no.
Q. How long did you stay in Miami?
A. Okay. Arrived there at that night, was there that day, that night they showed the "Living with Michael Jackson" thing, which I wasn't allowed to watch, none of the children, and then the next day we left.
Q. All right. So you were there two nights?
A. Yeah.
Q. And then the next day you flew back?
A. Yes.
Q. Let's go back to that first day. Now, you've described that first conversation that took place with your kids, Mr. Jackson, Dieter and Ronald.
A. Uh-huh.
Q. Did you have any subsequent conversations, any other conversations that day with either 6047

Ronald --
A. No.
Q. -- or Dieter?
A. They were busy at work, I know now.
Q. But did you have a conversation with either one of them that day?
A. No. After that, after they absorbed all that information, no.
Q. All right. Now, the next day, did you have any conversation with either Michael Jackson or Dieter or Ronald?
A. Just almost -- almost the whole day that's when we had stayed in Michael's room.
Q. You were there in Michael's room that entire time?
A. Yeah.
Q. All right. Did Mr. Jackson talk with you during the course -- was Mr. Jackson there during that day?
A. Yes.
Q. So he was in the room with you and your three children?
A. Yeah.
Q. For a good part of the day?
A. Well, the whole entire time, Michael was there with the kids.
Q. All right. Did you ever leave the hotel?
A. No, I never left the hotel. 6048

Q. Had you ever been to Miami before?
A. Never been there.
Q. Did you want to go see the city at all?
A. No.
Q. Did you express a desire to leave the hotel?
MR. MESEREAU: Objection; leading.
THE WITNESS: No. I just wanted to focus
there --
THE COURT: Just a moment. Just wait till I
rule after there's an objection.
THE WITNESS: Okay.
THE COURT: Overruled.
You may answer.
Q. BY MR. ZONEN: Did you at any time leave the
hotel during the two nights that you were there?
A. No.
Q. Did you ever leave your room during that
time?
A. Yes, I did. When I was in Michael's room,
and then that's the best I can remember.
Q. Did you ever go out to eat?
A. Well, the morning of -- Chris was eating
with the kids. They were having breakfast. By the
time I had gotten there, they were already done. So
all I had was, I think -- please don't quote me on
this -- I know a lemonade and I think a some cheese
that they had, like samples.
Q. Did you leave your room to go to a 6049

1 restaurant at all?
2 A. No, except for that. When I had arrived,
3 Chris and the kids were already leaving.
4 Q. Did you leave your room or Michael's room,
5 Michael Jackson's room, for any reason during that
6 time that you were there?
7 A. No, outside what I just told you, as best as
8 I can remember.
9 Q. Did you at any time go to a spa?
10 A. Not me.
11 Q. Did other members of your family?
12 A. Yes.
13 MR. MESEREAU: Objection; leading.
14 THE WITNESS: With Chris.
15 THE COURT: Just a moment.
16 Overruled.
17 You need to slow down when I'm ruling.
18 THE WITNESS: Okay.
19 Q. BY MR. ZONEN: Which members of your family
20 went to a spa?
21 A. And I think that's what it was, okay?
22 Q. Okay.
23 A. Because Chris wanted to go get a massage, so
24 he took Davellin and Gavin and Star with him.
25 Q. All right. And did they have some type of
26 service at the spa as well?
27 A. Yes.
28 Q. Why didn't you go? 6050

A. I was concerned. When are we going to, you know, take care of my kids from being killed?
Q. Did they talk to you about this press conference on the second day?
A. No, they didn't.
Q. Neither one of them mentioned that to you?
A. No.
Q. Did they talk about anything that they wanted to do on this second day?
A. No. No press conference.
Q. Did you have any conversation with either Dieter or Ronald on this second day about anything?
A. Yeah, the -- the two papers. One that Ronald wanted me to sign that had nothing written on there, and then when I asked him, "What is it?" "No, no, no. Got to hurry up. We're running out of time," and, "You want your kids to be killed."
And so I signed it.
And then the next time was Dieter. Dieter had said that what Ronald did didn't work. And he had a pre -- pre something, a paragraph that was pre-written.
Q. All right.
A. And then he, in my writing, asked me to write some things, and then he had me sign underneath that.
MR. ZONEN: Counsel? I showed you this 6051

earlier.
May I approach the witness?
THE COURT: Yes.
Q. BY MR. ZONEN: I'm going to show you an
exhibit numbered one -- excuse me, numbered 807 for
identification, not yet in evidence.
Would you take a look at that document,
please?
A. Uh-huh.
Q. Do you recognize that document?
A. Yes. Not -- just my signature.
Q. All right. Is your signature actually on
that document?
A. Yes. It's actually in two different places.
Q. Do you have a recollection of signing that
document?
A. Not with this on here, and not with this on
here.
Q. All right.
A. And definitely I didn't sign my name twice
on the same piece of paper. And there was no line
right here.
Q. All right. Well, let me ask you this
question: Is any of that your handwriting; any of
it?
A. Just my signature and my -- my printed name.
Q. So the printed name, the handprinted name,
is your handprinting? 6052

A. Yes, sir.
Q. And the signature that's above that is your signature?
A. Yes, it is.
Q. There's a second signature. Is that yours as well?
A. Yes.
Q. Now, do you have a recollection at all of signing a document twice?
A. Not -- no, two different situation -- two different things. Two different papers.
MR. ZONEN: All right. Your Honor, I'm going to move this exhibit into evidence at this time.
MR. MESEREAU: No objection.
THE COURT: All right. It's admitted.
MR. ZONEN: And may I publish this?
THE COURT: You may.
Q. BY MR. ZONEN: I'd like to read -- the very top part appears to be typed in. Would that be correct?
A. Yes.
Q. All right. Let me read this to you out loud.
Oh, you can make it larger? Perfect.
"I confirm that Theodore Goddard is authorized by me to file this complaint on behalf of my son, Gavin Arvizo." The date is Miami, February 6053

7th, 2003.
Do you believe -- do you believe that you were in Miami on February 7th?
A. I think so.
Q. All right. Do you know who Theodore Goddard is?
A. No.
Q. Were you ever told who Theodore Goddard is?
A. No.
Q. Have you ever seen a document that had this sentence preprinted on it?
A. No, not when I was in Miami. Now, per you guys's investigation --
Q. Stop right there.
That's the signature that's directly underneath it?
A. Yes.
Q. Put it down a little bit so we can get the top -- no, no, the other way. Yes. Just put it down.
We have it now with the signature that's below it. And you're telling us that that handwriting is yours --
A. Yes.
Q. -- and the signature is yours?
A. Yes.
Q. Do you remember a line being there?
A. No, I don't. 6054

Q. You didn't draw a line in there?
A. No, I didn't.
Q. And you have no recollection of a line being there at the time you signed it?
A. I have no recollection of a line being there.
Q. All right. Let's move down.
Okay. "Mrs. Arvizo also learned that Davellin and Star have been on T.V. without her consent. Please act accordingly."
And then there's a signature. Did you sign that?
A. I didn't sign that, but that is my signature.
Q. All right. The paragraph that says -- that begins with, "Mrs. Arvizo also learned...," is that your handwriting?
A. No. That's my handwriting -- that's my printing up there.
Q. All right. And the --
A. There's a difference.
Q. Okay. And that particular paragraph, have you ever seen that paragraph before?
A. Never.
Q. Now, do you have a recollection of signing any document twice?
A. On the same piece of paper? No.
Q. Did anybody ever talk to you about a lawsuit 6055

while you were in Florida?
A. No.
Q. Did anybody ever mention an attorney in England?
A. No.
Q. Did anybody talk to you about your being represented or your son being represented?
A. No.
Q. While you were there on this first day of conversations that you had with Dieter or with Ronald or with Mr. Jackson, did anybody talk to you about the presentation of “Living with Michael Jackson”?
A. No.
Q. Did you at any time learn what that was?
A. Afterwards.
Q. All right. Now, you had mentioned earlier that there was going to be a showing of --
A. Yes.
Q. -- “Living with Michael Jackson”?
A. Yes.
Q. Do you remember when that was presented in the United States, on what day?
A. No. When I was there with him all day --
Q. Yes.
A. -- that night.
Q. It was that night?
A. Yes. 6056

Q. Of the first full day that you were in Miami?
A. Yes.
Q. All right. Did you want to go watch that?
A. Yeah, I wanted to go see what has caused my kids to -- you know, all of a sudden there's death threats on them.
Q. Now, you said "kids."
A. Yeah.
Q. Earlier --
A. Yeah.
Q. Hold on, hold on.
Earlier, when you were in Los Angeles, you had mentioned that the threat was directed toward Gavin.
A. Yes.
Q. Did that change?
A. Yes.
Q. All right. What changed? Who told you that it had changed?
A. Michael.
Q. What did he say?
A. That now it was all three of my kids.
Q. All right. Mr. Jackson told you all three of your children were in danger?
A. Yes.
Q. All right. Now --
A. And that's where that whole 45-minute 6057

speech --
Q. When did you learn that there was going to be this presentation of a documentary titled “Living with Michael Jackson”?
A. After -- after Ronald and Dieter extracted all this information from me, then afterwards.
Q. Did you know what that was? Did somebody explain to you what that was?
A. No.
Q. Did somebody explain to you that your children were in it?
A. They had mentioned that my children were in it.
Q. Did anybody tell you the manner in which they were depicted in that?
A. No.
Q. Did anybody say anything about this documentary in terms of whether it was complimentary or not complimentary?
A. No. Zero.
Q. With whom had you talked about “Living with Michael Jackson”?
A. At this point, the initial meeting. Then the Ronald and Dieter with Michael. Afterwards, let me see, they kept pulling Gavin into -- Ronald, Dieter and Gavin (sic) kept pulling Gavin into a room by himself. I was thinking they’re talking about the press conference. Then Michael kept 6058

pulling Gavin into a room all by himself over and over. So it was in the middle of the pulling Gavin into the bedroom.
Q. Okay. All right. Now, at some point you knew this was going to be on T.V.; is that right?
A. Yes.
Q. Yes. Who was it who told you it was going to be on T.V.?
A. Actually -- actually, I had overheard Michael with Ronald and Dieter talking. I overheard it.
Q. All right. But when did you first learn that your children were involved in this documentary?
A. When I overheard it.
Q. All right. So they had mentioned that?
A. Yes.
Q. All right. Now, did you make an effort to go view it?
A. Yes, I did.
Q. Did you know what time it was going to be on?
A. Yes. Because I overheard it.
Q. Did you, in fact, view it?
A. No, I didn’t.
Q. And why not?
A. Because when I ran down, Davellin had called me to the room and told me that Michael was angry, 6059

to, “Come now,” so I went back up.
Q. All right.
A. And then Michael had talked to me and told me he didn’t want me to see it.
Q. But he told you that?
A. Yes.
Q. Did he say why?
A. No.
Q. Did you ask him why?
A. No, I just -- you know, I’m thinking, “They’re going to take care of my kids from these killers. I better” --
Q. Were you concerned at all about the content of that documentary?
A. It’s until afterwards, I found out.
Q. I’m talking about now in Miami.
A. In Miami? No. I was clueless.
Q. Did you make any questions or any inquiries as to how your children were depicted in that video?
A. Afterwards, yes.
Q. But in Miami.
A. In Miami, no.
Q. You didn’t ask either of the Germans?
A. No.
Q. And you didn’t ask Mr. Jackson?
A. No.
Q. And you didn’t watch it?
A. No, I didn’t. 6060

Q. To this day, have you seen this documentary in its entirety?
A. Only the clips, the clips that the media elects to put on there, little clips.
Q. But you have not --
A. But this is now.
Q. But you have not watched it in its entirety?
A. No, I don't want to watch it. Now I don't want to watch it.
Q. From the beginning to the end, you have not seen it?
A. No.
Q. Did you have any other conversations on this full day that you spent the day in Michael Jackson's hotel room with Mr. Jackson, that you haven't told us about already?
A. With Michael?
Q. Yes.
A. No, no. Just that -- you know, the lovey-dovey 45-minute meeting.
Q. All right. Did you have any other conversations with Dieter or with Ronald?
A. No. After the lovey-dovey meeting, then the Ronald and Dieter meeting with him, and, no, afterwards, no. Well, this is the best as I can remember.
Oh, yeah, you know, when I came back up from 6061

the -- from that when I went down there trying to see the Bashir thing, so, yeah, I did.
Q. That conversation you've already told us about with Mr. Jackson, all right.
Now, the next day, did you have any conversations with Mr. Jackson?
A. No. No.
Q. All right. Did you head back to California?
A. No. Yeah, California, but not my home.
Q. Okay. Where did you think that you were going to be going when you returned?
A. Well, I figured I'm going back to my home.
Q. Did you ever have a press conference while you were there?
A. In Miami?
Q. Yes.
A. No.
Q. Did they ever explain to you why you didn't?
A. No.
Q. Did either Ronald or Dieter talk about an alternative to a press conference?
A. No.
Q. Did Mr. Jackson speak to you about an alternative to a press conference?
A. No.
Q. Did you make any inquiries of anybody as to why you weren't having one?
A. No. When I did start to ask questions now, 6062

that's when a lot of craziness started happening.
Q. All right. Well, specifically with regards to Ronald or Dieter, did you make any inquiries of them?
A. Yes, I did. And so -- and they basically would shut me down every time, because they're the ones taking care of everything.
Q. What do you mean by shut you down?
A. When I'd ask, you know, like why didn't we do the press conference, and it was like, "Arghh, you stupid woman," you know, and just -- it just -- it escalated.
Q. All right.
A. I -- go ahead.
Q. And their behavior --
A. Escalated.
Q. -- escalated?
A. Yes.
Q. Escalated in what way?
A. Well, do you want me to go all the way to the end?
Q. Just tell me what they were saying to you. What did they say to you?
A. That they know best. They're the damage control team. And you wouldn't want to hear the way they said it.
Q. Tell us what they said. Tell us what they said to you. 6063

A. Well, Ronald telling me that he could have me erased if I make him angry. Just different things like that.
Q. All right. Were you frightened by the things they were telling you?
A. Yes. They terrified me.
Q. Did you go back to Mr. Jackson and tell him?
A. When we initially got there to Miami, I talked to him, and his response was, “Do everything Ronald and Dieter tell you.”
Q. But during --
A. And that was it.
Q. During this period of time that you were at the Turnberry Hotel in Miami --
A. I --
Q. Hold on, hold on. You have to wait till the question’s asked.
During this period of time that you were in Miami, and during this period of time that you were having conversations with Ronald and Dieter and they were threatening you and saying things that were scary to you --
A. Not until we got at Neverland they did that.
Q. That’s my question.
A. Yeah.
Q. Did these conversations take place in Miami?
A. No, no. In Miami they were just, you know, ab -- extracting all the information possible. 6064

Scaring me, that -- the scare was from other people,
and getting -- acquiring those two signatures.
Q. Okay. So neither one of them had threatened
you personally?
A. No, not in Miami.
Q. And you have mentioned that one of them
called you a stupid woman --
A. Yes.
Q. -- while you were there. Who was there?
A. Actually, both of them, but Ronald did
first.
Q. The other one did as well?
A. Yes.
Q. That was still in Miami?
A. No, no, this is in Neverland.
Q. All right. It's back at Neverland.
A. Miami, they're just like, you know, "Oh,"
you know, "We're here to help you, protect you,
protect the kids."
Q. Did you fly back with everybody else?
A. At first it wasn't going to be like that.
Q. Did somebody talk to you about your flying
separately?
A. Yes.
Q. Who was that?
A. Big Mike, or his head security of traveling.
Q. Do you know his real name?
A. I don't know his real name. 6065

Q. Is that the name he goes by?
A. That's what they were calling him, Big Mike,
and he said, "I'm Big Mike."
Q. Is he big?
A. Yeah, he is big.
Q. Okay. Is he the one who told you you were
flying separately?
A. Yes.
Q. Where did you -- how did you understand your
children would be flying?
A. Okay. He had -- he had called me and talked
to -- to my room and told me that Michael didn't
want me flying back with my kids; that he wanted
only my kids, and that I was going to have to take
the next-day flight out with their security.
And I was like, "No." And then he's saying,
"Yes." And then I started crying on the phone, and
because I'm -- you know, these are my kids, you
know, "what's going on?"
I expressed to him, I said, you know,
remember how you wanted -- did I express to him --
I did, to Mike, Big Mike --
Q. Now, you --
A. -- my concerns.
Q. Did he then tell you you would be flying
with everybody else, or did somebody else tell you?
A. No, Big Mike said -- after I started crying
on the phone, and he says, "I'm going to talk to the 6066

boss, and I'll see what I can do."
Q. Did somebody then call you back?
A. And then Big Mike called me back and said then I could fly with the kids back to -- with Michael and just to stay quiet.
Q. Did you, in fact, fly with them back?
A. Yes, I did.
Q. Do you know how long that flight was?
A. No, it was just hours. I don't know.
MR. ZONEN: Would you put another exhibit tag on this, please?
Q. Do you remember who any of the other people were who were on that plane?
A. Yes, I do.
Q. Tell us who they were.
A. Okay. Baby Rubba. Marie Nicole. All three of his children. Patty and Grace. A doctor that they called -- I now know per -- there's a lot of things now I know per this investigation, but back then I didn't know. I just knew him as Dr. Farsha. And my kids. Michael. Me. One flight attendant. And that's the best I can remember.
Q. All right. Baby Rubba is who?
A. I've come to find out now that his name is Al, Aldo, but back then he was only known as Baby Rubba.
Q. Is he related to Frank?
A. Yes. 6067

Q. Is Frank somebody you met prior to this time?
A. Prior to --
Q. Did you know who Frank was at this time of the flight going back?
A. I had initially met him in August of 2000. Okay. Then on this -- in the Miami trip, he didn't even talk to me. Not once.
Q. All right. But -- let me ask you this question.
A. Okay.
Q. You met him in August of 2000. That was your first trip to Neverland?
A. Yes.
Q. And he was there at that time?
A. Yes.
Q. He was introduced to you as Frank?
A. Yes.
Q. At some point in time, did you meet him in Miami? Was Frank there?
A. Yes, but he didn't talk to me at all in Miami. Zero conversation.
Q. But you saw him there?
A. Yes, I did.
Q. And was he introduced to you as the brother of Aldo and Marie Nicole?
A. No, he wasn't. It's the children that told me that that was his brother. 6068

Q. Prior to your going back -- I assume all three of your kids are on this flight.
A. Yes.
Q. And I assume all three of your kids are with you in the hotel --
A. Yes.
Q. -- in Miami.
A. Yes.
Q. Did Davellin go to New York?
A. Davellin?
Q. Yeah.
A. No.
Q. Was she on a shopping spree in New York with Marie Nicole?
A. Never.
Q. You've never heard about this, have you?
A. No. There's a lot of things I haven't heard, and they just pop up.
Q. Was Davellin a friend of Marie Nicole prior to Florida?
A. No.
Q. Had never met prior to Florida?
A. Never.
Q. Where did you think --
A. And in Miami, Baby Rubba and Marie Nicole were very -- like away from my kids. It's until they went to Neverland that they were all, you know -- 6069

Q. Together?
A. Together, yes.
Q. All right. Now, where did you think this plane was going to go?
A. Well, I thought -- I just thought that maybe it was going to land in Los Angeles, and then, you know, I'm -- you know, and that's it.
Q. Did they tell you it wasn't going to Los Angeles?
A. No, they didn't tell me.
Q. How long did you think you were going to be in Miami when you flew to Miami?
A. Well, just enough to do the press conference - my kids are in school - and come back. That's it.
Q. Did you expect to be back after the press conference?
A. Yes. You know, take care of the problem, that's it.
Q. Excuse me just one moment. Do you know what day of the week it was that you actually flew to Miami?
A. No, but it was a school day.
Q. It was a school day?
A. Because Davellin -- they had to wait till Davellin got out of school. And I had the boys, you know.
Q. And the next day that you were in Miami, was 6070

that a school day as well?
A. I -- yes, I believe so. I'm not sure.
Q. Had any arrangements been made to accommodate their absence from school?
A. No.
Q. Did you have any expectation that they were going to be absent from school for an extended period of time?
A. No.
Q. All right. When did you first learn you were not flying back to Los Angeles?
A. On the flight.
Q. Where did they tell you you were going to be going?
A. Neverland.
MR. ZONEN: May I approach the witness, Your Honor?
THE COURT: Yes.
Q. BY MR. ZONEN: I show you Exhibit 808. Do you recognize what this diagram is?
A. Yes.
Q. All right. And what do you understand it to be?
A. The inside of the airplane.
Q. Excuse me.
Tom, do you have a pen that will write on that?
Do you have a recollection of where you were 6071

sitting at that time?
A. Yes. Some things are just burned in here.
Q. All right. So you know where you were sitting. Do you have a recollection of where Mr. Jackson was sitting?
A. Yes.
Q. Do you have a recollection of where your children were sitting?
A. Yes.
Q. At different times during the course of this flight, did people get up and move around?
A. Baby Rubba, Marie Nicole were running all over the place. His kids were running all over the place.
Q. Anybody else?
A. The -- the flight attendant was very busy.
Q. She was very busy?
A. Yes, very busy.
Q. Take a pen, if you would, please. Here's -- let's do blue.
A. Okay.
Q. And if you could, put your initials in the seat where you were, please.
All right. And can you tell us where Mr. Jackson was seated?
A. I'll put his initials or --
Q. Put his initials.
Do you remember where Gavin was seated? Put 6072

1 “Gavin.”
2 Do you remember where Star and Davellin were
3 seated?
4 Shall we go on? Do you remember where
5 everybody else was?
6 A. Yeah.
7 Q. How about Baby Rubba, where was he?
8 A. Okay, over here. That’s why they were --
9 can I write the rest?
10 Q. And Marie Nicole, yes.
11 A. And Paris and Prince. And --
12 Q. Paris and Prince being Mr. Jackson’s
13 children?
14 A. Yes. And then Grace was right here.
15 Q. Grace is the nanny?
16 A. Yes. Patty’s right here.
17 Q. Is Patty a nanny as well?
18 A. Yes. And Farsha, Dr. Farsha, right here.
19 Q. Okay.
20 A. And the flight attendant all over the place.
21 Q. Okay. All right. Is this an accurate
22 depiction of the interior of that flight?
23 A. Yeah. I guess.
24 Q. And are the names of the different people
25 accurately depicted where they were sitting?
26 A. Yes.
27 Q. Would you, on -- at the bottom of this, just
28 write your first name, right at the bottom, so we’ll 6073

know whose exhibit that is.
Good. Nice large letters.
All right. Your Honor, I'd move to
introduce this Exhibit 808 into evidence.
MR. MESEREAU: No objection.
THE COURT: It's admitted.
MR. ZONEN: May I publish this?
THE COURT: You may.
Q. BY MR. ZONEN: This is the interior of this
exhibit; is that correct?
A. Yes. Yes.
Q. Okay. I'm going to hand you the laser, if I
could, please. Press that little button right
there.
A. Okay.
Q. Now, you've indicated by the names "Gavin"
and "MJ," "Star" and "Davellin" --
A. Yes.
Q. -- as your three children and Mr. Jackson;
is that correct?
A. Yes.
Q. Would you show us where "MJ" is?
That's Mr. Jackson's seat. And does that
face directly ahead towards Davellin's seat?
A. Yes, right there.
Q. And Gavin was next to him?
A. Yes.
Q. And that faces directly to Star's seat? 6074

A. Yes.
Q. Okay. There is a “JJ” as we’re further to the right. Is that you?
A. Me.
Q. All right. And that would stand for?
A. “Janet Jackson.”
Q. Janet Jackson. Okay. Okay. Now, which direction was that seat facing?
A. It faces in that direction.
Q. All right. You were not able to -- from the vantage point of where you were seated, you were not able to see --
A. And then not only that, they’re really, like, big in the back of me.
Q. The seats, you mean?
A. Yes.
Q. And you’re not hugely tall, are you? Were you not able to see over the top of that seat, then?
A. Yes. They’re not like these chairs. They go past.
Q. It was up above your head?
A. Yes.
MR. ZONEN: All right. Let’s move that down. Yes, this direction.
THE WITNESS: And so do theirs, too. Not just mine. 6075

MR. ZONEN: Perfect. Right there.
Q. Tell us where Dr. Farshshian was.
A. Yes.
Q. And he was facing you?
A. Yes.
Q. And Patty and Grace?
A. Right here.
Q. And let's move in the other direction.
And we have what appears to be four people
on that.
A. Yes.
Q. Would you describe that seat? What --
A. It's kind of like a couch.
Q. Okay. Are there armrests at all?
A. I don't remember that, but I just remember
that it looked like a couch.
Q. All right. And the four of them were on
that seat?
A. Yes.
Q. Now, there's another seat that's up above
that --
A. Right here.
Q. -- what appears to be a couch. And who sat
there?
A. I don't know.
Q. Was the stewardess seated at any time?
A. No, no, the stewardess always sat in the
back, because Grace would get mad at her and throw 6076

her in the back.
Q. All right.
A. Like she had to be working, because -- and if you were not working, you go back.
Q. All right. Now, was there a person seated in that seat, the one that was directly above from where the couch is?
A. I don't remember.
Q. Do you know if there was another person on the plane you don't recall?
A. I don't recall. But that's -- you know, I don't --
Q. All right. We can take that off, and if we could turn the lights back on.
Now, at some time while you were on that plane, did you see an event that caused you concern?
A. Yes.
Q. What did you see?
A. Um, okay. (To the jury) Please don't judge me.
Q. If you could, just answer the question.
Tell us what it was that you saw.
A. (To the jury) Please don't judge me.
At that time I was -- I hadn't slept for so long. When everybody had fallen asleep -- and it was hours into the flight. I hadn't gotten up, and so -- and I figured this was my chance to look and see what had -- what was going on back there. 6077

So I got up, and that's when I saw Michael licking Gavin's head. I thought it was me. I thought I was seeing things. I thought it was me. When we got off the airplane and I asked my son, I asked him, "Are you okay?" He said, "I'm okay." And that was it.

Q. Do you know if Gavin was awake or asleep at the time?

A. He was asleep at the time.

Q. How could you tell?

A. Because his head was on his chest.

Q. Okay. Where was Mr. Jackson's arms at that time?

A. Like this.

Q. He had an arm around Gavin?

A. Yes.

Q. Now, I want you to describe what it was you saw. You said you saw him lick him. What part of his head?

A. Like this, over and over.

Q. All right. What part of his head was it? Point to your head where it was.

A. Right here.

Q. Actually in his hair?

A. Yes.

Q. And do you mean the side of his head?

A. Yes. 6078

Q. Okay. And you said, “over and over.” How many times did you see that?
A. It was just over and over.
Q. All right. Are we talking about a few seconds’ worth or a few minutes’ worth? What?
A. I couldn’t tell you.
Q. All right. Did you say anything to anybody --
A. No.
Q. -- at that time?
A. I looked around to see if anybody was awake, to see if anybody was seeing what I was seeing. And everybody was asleep, that I could see. Like I took a look at Patty and Grace, and I took a look at Farshshian. They were asleep.
Q. Did you say anything to anybody at that time?
A. No.
Q. Did you ever say --
A. I was never going to tell nobody.
Q. Did you say anything to anybody at any time about that event?
A. No.
Q. Who was the first person you discussed that with?
A. I didn’t discuss it with anybody until like way, way after, way after Neverland --
Q. Okay. 6079

A. -- when Star had told me what he had seen.
Q. All right.
A. And then there was like -- everything went, like, backwards.
Q. Okay. Who was the first person that you told of your observation?
A. Me? I think it was the police.
Q. All right. So you had not told anybody about this --
A. No.
Q. -- until a conversation with the police?
A. No.
Q. Do you remember where in this flight that happened, where during the flight?
A. After everybody had gone to sleep.
Q. Could you tell me how many hours into the flight that was?
A. No. Everybody was just sleeping, that I could see.
Q. Where did you --
A. Even the flight attendant, she was like this. She was way, way at the end, and she was like this.
Q. Okay.
THE COURT: All right, Counsel. We'll take our break. Is it time?
MR. ZONEN: No.
THE COURT: It's not? 6080

(Laughter.)
THE COURT: All right. Go ahead.
Q. BY MR. ZONEN: When did you learn what airport you landed in?
A. To this day, I still don't know what airport I landed in. I just know it was near Neverland.
Q. Was it a small airport?
A. I couldn't tell you, because the car -- as soon as we got off the airplane, the car was right there.
Q. Were you actually in a building when you got out of the plane or were you out on the tarmac?
A. I don't know what "tarmat" is.
Q. The ground where the airplane --
A. Yeah, when you got off the airplane, there was that big old long car.
Q. So you were outside when you got out of the plane?
A. We got out of the airplane, and the car was there.
Q. You got into the car?
A. Yes.
Q. And you went to Neverland?
A. Yes.
Q. Do you know how long of a drive it was to get from the airport to Neverland?
A. My best estimate is less than an hour. Definitely less than an hour. 6081

Q. Did you know where you were going?
A. Yeah. On the airplane, that's when I found out we were going to Neverland.
Q. Did you have luggage with you and --
A. Yes.
Q. -- and clothing and things like that?
A. Yes.
Q. Okay.
A. And I now know how to travel. Before I used to take just like everything, you know.
Q. All right. Now, when you got out of the plane and you went to Neverland, at some point did you go to a residence in Neverland?
A. Yeah, Michael's house.
Q. Where did you stay that night?
A. In one of the guesthouses.
Q. Do you know approximately what time it was that you arrived at Neverland?
A. Very, very late. Again, like before morning-time.
Q. Do you mean late at night or into the middle of the night?
A. No, past the middle of the night.
Q. So it's almost until dawn?
A. Yeah. And please -- also the time change. There's a time change.
Q. All right. So did you at that point go to bed? 6082

A. No. He had us -- he had the car stop like way at the beginning, and then we all had to walk in the freezing night into Neverland.
Q. So you walked some distance to get --
A. Yes.
Q. Along the driveway?
A. Like the pathway.
Q. All right. And did you go straight to a cottage?
A. No. We went straight into the house. And then from the house, we got our -- all our bags, and then that's where my garbage bag was missing I had tied up to my red sports bag.
Q. So you had a plastic garbage bag --
A. Yes.
Q. -- that contained items?
A. With my stuff. And then I had put -- in the Turnberry bag, I had put my shoes inside there, my Timberland shoes, so they wouldn't dirty the rest of my stuff.
Q. There was a Timberland bag that I assume --
A. No, no. No, no. My Timberland shoes.
Q. I'm sorry, the Turnberry bag.
A. Yes, that I put my Timberland shoes in there so it wouldn't dirty the rest of my stuff inside the garbage white bag. It was one of those big ones that I tied really tight to my red bag.
Q. All right. Now, was that the only form of 6083

luggage that you brought with you when you went to Miami?
A. Me personally.
Q. So all of your stuff was in a garbage bag?
A. Yes, plus the red bag.
Q. Plus the red bag. But the red bag was a Turnberry Hotel bag?
A. The red bag was my bag.
Q. It was a separate bag that you had with you?
A. Yes. And the white garbage bag was tied to the handles of my red bag.
Q. Okay. All right. And that --
A. I mean so tight that you have to -- I don't know when you -- if you know, but when you tie a plastic bag so tight you can't untie it anymore, that's how tight I had it.
Q. It was not there when you got to Neverland?
A. No. No, it wasn't.
Q. And you had possessions inside of that bag?
A. Yes, I did.
Q. Did you report that to anybody?
A. Yes, immediately. I told Jesus, and then Jesus contacted Chris.
Q. Chris was --
A. And then he told -- Michael became aware. And Michael said, "It's okay. We'll replace everything in there."
Q. Okay. You told Chris. You told Jesus. 6084

A. Jesus.
Q. Jesus is Jesus Salas?
A. Yes. And Jesus then contacted Chris. And then they also looked all over in the hotel, that maybe some --
Q. Where did you stay that night when you finally went to --
A. Neverland, in the guesthouse.
Q. Where was Davellin?
A. In -- in one of the guesthouses.
Q. All right. Where were the boys?
A. With Michael.
Q. Do you know where with Michael?
A. In -- now I know, okay.
Q. At the time did you know where they were?
A. At the time, no.
Q. You knew they were in the house?
A. Yes.
Q. Did you ever walk into the house during the nighttime?
A. No.
Q. Did you ever make an effort to contact either of the boys while they were inside the house?
A. No.
Q. Did you take your meals inside the house?
A. Me?
Q. Yes. During this time?
A. During -- yeah, you need to specify. 6085

During -- prior to leaving with Jesus, in the kitchen area.
Q. All right. Now, when you got there on this -- at this hour, you spent the night there and presumably woke up and left your room the next day.
A. Yes.
Q. Do you have a sense of what time that was when you finally came out?
A. I think it was -- I think it was mid-morning. I think it was morning, mid-morning.
Q. Was Davellin with you?
A. No, Davellin was with Marie Nicole, Baby Rubba.
Q. Did Davellin stay the night in your room?
A. Not in my room. In a guesthouse.
Q. In a different guest cottage?
A. Yes.
Q. Do you know where Marie Nicole or Aldo stayed, or Baby Rubba?
A. Oh, Marie Nicole stood in the room -- they have a bed over there above the theater. There's a bed. That's where she slept. And Aldo and the boys, they slept with Michael.
Q. Were you expecting to go back to Neverland?
A. No.
Q. Did anybody --
A. It wasn't until in the flight did I find 6086

that out.
Q. Did anybody ask you if you would go back to Neverland?
A. No, nobody asked me.
Q. Did you want to go to Neverland?
A. No, I needed the kids -- like I told you, they were in school. And I just -- just do this press conference, take care of this, and that's it.
Q. Had they talked about some press conference? And by "they," I mean either Ronald or Dieter or Michael Jackson.
A. No.
Q. Now, once you were back at Neverland, did you see either Ronald or Dieter?
A. Yeah. Not immediately. The next day, Dieter came. Ronald came days after, like I think a day or two or something like that. I'm not quite sure. But it was Ronald the next day, and then Dieter afterwards. I mean -- I apologize. Dieter first. Then Ronald.
Q. Was Mr. Jackson there during that few days afterwards?
A. Yes.
Q. How long did you stay at Neverland before you finally left?
A. Well, I stood until Jesus helped me.
Q. All right. I'd like to show you an exhibit, if I may. 6087

Is this in evidence?
(Off-the-record discussion held at counsel table.)
MR. ZONEN: Madam Clerk, let me just confirm that 405 is not in evidence.
THE CLERK: It is not.
MR. ZONEN: Not? Not in evidence.
May I approach the witness, Your Honor?
THE COURT: Yes.
Q. BY MR. ZONEN: Showing you an exhibit at this time for identification not in evidence, No. 405, I'd like you to take a moment and read it, if you would, please.
A. Okay.
Q. It's a full page. Take your time to go ahead and read it to yourself.
A. Okay.
Q. When you're done, just set it down.
A. Okay.
Q. You have completed reading this; is that correct?
A. Yes.
Q. All right. Do you know who Bell Yard is?
A. No.
Q. Does this appear to be a press release?
A. I don't know.
Q. All right. Are you quoted in this document?
A. Yes. 6088

Q. Have you ever made those quotes?
A. No.
Q. Did anybody ever interview you as to the content of this document?
A. No.
Q. Have you ever seen this document before?
A. No. Right now.
Q. This is the first time you've seen it?
A. Yes.
Q. All right. It's attributed to Janet Ventura-Arvizo; is that correct?
A. Yes.
Q. The date is Sunday, the 9th of February, 2003?
A. Yes.
Q. Did anybody contact you on that date about releasing any kind of a press conference -- a press release?
A. No.
MR. ZONEN: Your Honor, I would move to introduce 405 into evidence.
MR. MESEREAU: Objection. Hearsay; no foundation.
THE COURT: I don't think there is a foundation. I was looking. It was identified on March 2nd, but I can't recall who identified it.
MR. ZONEN: It was Ann Gabriel, I believe. Let me withdraw the introduction of this 6089

until we can do this at another time, for the convenience of the jury. We can debate the issue at that time.
THE COURT: That would be good.
Q. BY MR. ZONEN: How many days did you stay at Neverland?
A. I can't remember. Until Jesus helped me.
Q. Give us a sense of it. Two days? Five days?
A. No.
Q. Do you have a sense of it at all?
A. No, I don't have a sense of it.
Q. Okay. And you say that Jesus helped you leave?
A. Yes, he did. And he got into it before that.
Q. Hold on. Listen to the question that I ask and only answer that question, if you would. Okay?
A. Okay.
Q. Now, did you ask anybody to -- did you ask anybody to take you back to Los Angeles before going to Jesus?
A. No.
Q. Did you express to anybody a desire to leave Neverland?
A. Yes.
Q. To whom did you --
A. To Ronald and Dieter. 6090

Q. To Ronald and Dieter?
A. Yes.
Q. Was Mr. Jackson present during the entirety of that time?
A. Yes.
Q. For the period of time until Jesus took you --
A. Yes.
Q. -- home?
When you asked Ronald and Dieter to leave, what did they tell you?
A. That I had -- no, because I had to do the rebuttal.
Q. Ahh, all right. A rebuttal?
A. Yes.
Q. Was this the first time that you had any information about a rebuttal?
A. Right on.
Q. All right. And who was it who first spoke to you about a rebuttal?
A. It was Ronald and Dieter.
Q. Together?
A. Yes. First it was Ronald. And then it was Dieter, and then it was both, and they -- you know, they took turns.
Q. You had multiple conversations with them?
A. Yes. But Dieter, before Ronald, was preparing us for that. 6091

Q. Okay.
A. Which I didn't know.
Q. What do you mean, preparing for you that?
A. They had this -- this thing that I guess --
they had extracted all the information from us. It
was like a script.
Q. They got information from you. Do you mean
about your family?
A. Back in Miami.
Q. All right. But --
A. And whatever else they did.
Q. Did anybody ever talk to you about a
rebuttal while you were in Miami?
A. Never.
Q. So it wasn't until you got to Neverland?
A. Yes.
Q. Who was the first one to broach that subject
with you?
A. Dieter.
Q. Did Michael Jackson talk to you about doing
a rebuttal?
A. No. When I spoke to him, he said, "Do
everything that Ronald and Dieter tell you, and it
will fix everything."
Q. Did you have any conversation back at
Neverland with Michael Jackson at all?
A. The initial -- when I first got there, I
expressed it to him, and he said, "Do everything 6092

1 that Ronald and Dieter tell you to do."
2 Q. What he had previously said in --
3 A. Yes.
4 Q. -- Miami --
5 A. Yes.
6 Q. -- he said again?
7 A. Yes.
8 Q. Did you express to him your concerns at that
9 point about Ronald and Dieter?
10 A. No.
11 Q. Did you have concerns about Ronald and
12 Dieter at that point?
13 A. Yes. It escalated towards the middle-end.
14 Q. What did either one of them tell you about
15 this rebuttal? What did they tell you that was
16 going to be?
17 A. In answer to -- in answer to everything of
18 the "Living with Michael Jackson." They were
19 concerned about how he looked. They weren't
20 concerned about my children, me, anything else.
21 Only him.
22 Q. Did they explain to you what the rebuttal
23 had to do with your children's safety?
24 A. Yeah, "That" - this is another phrase -
25 "that would appease the killers." I heard that so
26 many times here, it's just --
27 Q. All right. Somebody actually used the word
28 "killers"? 6093

A. Yes.
Q. Who?
A. Him. Michael. Ronald. Dieter. Later on, Frank, Vinnie. And you know what? They ended up being the killers.
Q. All right. I want you to listen to the question that's being asked, and only ask that question -- answer that question.
A. Okay.
Q. Answer this question only, all right?
Now, who was the first person who mentioned to you "killers"?
A. Michael.
Q. Where was that?
A. That was in Miami.
Q. Now, the rebuttal, did you know what you were doing a rebuttal to?
A. On all -- the answer to the questions of this "Living with Michael Jackson," Martin Bashir.
Q. Now, you hadn't seen it; is that correct?
A. I hadn't seen it.
Q. Did somebody explain to you the content of that?
A. No. They just -- it was a script, and that was it, and expressed -- worked with us daily, numerous times, on what to do, what to do in between the outtakes, what to do before, and that's it.
Q. Who was it -- who talked to you about a 6094

1 script?
2 A. Dieter.
3 Q. Did he show you one?
4 A. Yes.
5 Q. Something in writing; is that correct?
6 A. Yes.
7 Q. Did he present this script to you that you
8 were actually able to read it?
9 A. Yes.
10 Q. What types of things were on the script?
11 A. Just glowing things about Michael.
12 Q. Did he say to you why glowing things about
13 Michael would protect your children?
14 A. Yeah, “That that would appease the killers.”
15 Q. All right. Now, did you tell them that you
16 would do this rebuttal?
17 A. No. Prior to Jesus, it was a no.
18 Q. And why did you say no?
19 A. Because I told them, “What’s wrong with the
20 truth?” And that’s it.
21 Q. All right. Now, did you --
22 A. I had no problems saying something nice, you
23 know.
24 Q. Did they tell you --
25 A. But when I had a 45-minute powwow when I got
26 there, I believed everything he said.
27 Q. Did they tell you that this rebuttal would
28 have not just you, but your children in it? 6095

A. At Neverland?
Q. Yes.
A. Yes.
Q. So who was it who told you that the rebuttal would feature all of you?
A. Ronald and Dieter.
Q. Why did you go to Jesus?
A. Because after asking them to leave so many times and they wouldn't let me leave. And then they were all working on a positive PR for Michael. They also wanted to point out how they were doing things for the mother and the kids. It was -- they were going to use it -- it went back and forth, and then they were going to use it in lieu, like -- also, like, they don't think that they were going to put out there. They're crazy.
So that was --
Q. You don't remember the question, do you?
A. No.
Q. I don't either.
A. I thought there was --
Q. Why did you go to Jesus?
A. To help me.
Q. Okay. And did you talk to him about helping you?
A. Yes.
Q. All right. And in what language did you speak with him? 6096

A. I spoke to him both in English and Spanish.
Q. Why is that? Why did you speak in Spanish?
A. Well, because I was very concerned about anybody hearing.
Q. What did you ask Jesus to do?
A. To help me leave, me and the kids.
Q. What did he tell you?
A. He says -- because I had told him that they weren't letting me go. And he says that, "No one should ever be held if they don't want to stay there."
Q. And did you leave?
A. Yes, I did.
Q. All right. Now, during that period of time that you were at Neverland before you left with Jesus, did you go anyplace out of Neverland?
A. Yes, I did.
Q. Where did you go?
A. Ronald and Dieter said, like I told you about Michael's positive PR, and they wanted to show that he's doing things for the mother and the kids. And, you know, so -- they had me so wrapped up. I believed everything they said.
Q. Miss Arvizo?
A. Yes.
Q. Where did you go?
A. Okay. I went to, like, a beauty place. And, oh, but get this. 6097

Q. Miss Arvizo?
A. I'm paying for it.
Q. Miss Arvizo?
A. That's right.
Q. Where did you go?
A. Okay. I went and got my legs waxed.
Q. Okay.
A. And the key thing there --
Q. Hold on, hold on.
A. -- I'll pay for it, because it was in replacement of my things.
Q. All right. I want you only to answer the question that's asked of you.
A. Okay.
Q. I want you to listen to the question that's asked. Would you do that?
A. Sure.
Q. Okay. You went to a beauty salon of some nature; is that right?
A. Yes. Yes.
Q. Did you have a body wax?
A. No.
Q. All right. You had your legs waxed?
A. Yes.
Q. What else?
A. That's it.
Q. All right. Whose idea was it to do that?
A. Ronald and Dieter. 6098

Q. How did they come up with a beauty parlor?
A. Because they wanted to show that they were doing something for the mother. Positive PR.
Q. Okay. Now, you said you paid for it.
A. Yes.
Q. In what way did you pay for it?
A. Because I -- I told them, “The only way I’m going to do that is if you deduct that from the things that were lost or stolen.” Who knows?
Q. Okay.
A. In replacement of that.
Q. Was that agreed to?
A. Yes.
Q. All right.
A. They said, “Okay.”
Q. Who is it who took you there, to a location?
A. Chris.
Q. It was Chris Carter who took you there?
A. Yes. And then their little surveilling people.
Q. There were other people that came with you?
A. Yes. Yes, their little surveilling filming people.
Q. Where were your children during that time?
A. With Michael.
Q. Did you --
A. The boys were with him, you know.
Q. Did you return back to Neverland? 6099

A. Yes, I did.
Q. Okay. Was that the day that you left?
A. I think it was, because I figured, you know what? That's it. That's enough. They got their positive PR, and now maybe I can go.
Q. You went to Jesus?
A. No. After, the Germans are following me every single place.
Q. Then you went to Jesus?
A. I waited till they fell asleep, and then I went to Jesus.
Q. Did Jesus agree to take you off the property?
A. Yes. Yes.
Q. Did he drive you and your children home?
A. Yes.
Q. Where did you go?
A. To my mom's. They had me scared about going to my mom -- to my own place.
Q. What did they tell you about your place?
A. That the killers had been there, that it had even been broken into. I believed everything they said. Now -- now I don't.
Q. This is the Soto Street residence?
A. Yes.
Q. All right. Did -- did you ask Jesus to take you to your parents' place?
A. Yes. 6100

Q. And did he, in fact, take you there?
A. Yes.
Q. Did you tell either of the two Germans,
Dieter or Ronald, where your residence was?
A. The East L.A.? Yeah. Oh, they took care of
all of that in Miami. Found out every detail.
Q. They knew where the Soto Street residence
was?
A. Yeah. And plus, you know, Michael knew
before that.
Q. Okay. He had picked up your children from
that residence?
A. Yeah, and I had lived there for almost
already five years.
Q. All right. Now, when you went to your
mother's residence, you stayed there how long?
A. I can't remember. But I remember Frank
convincing me that it's too scary to stay there.
And I figured my parents are old, and so I went to
Jay's house.
Q. With your children?
A. With my children.
Q. All right. Did --
A. But I still didn't want to go back to
Neverland.
Q. So you went to Jay's house?
A. Yes.
Q. And you stayed there for approximately how 6101

long; do you know?
A. I don't know.
Q. Were you getting any telephone calls while you were at either your mother's house or at Jay's house?
A. Yes, a lot.
Q. From whom?
A. From Frank. And then Michael had called once and spoke to the boys, and to Gavin.
Q. Mr. Jackson?
A. Yeah. At this point, I think he's still a --
Q. Mr. Jackson phoned personally?
A. Yes.
Q. Was this at your mother's house or was this at your --
A. My mom's house.
Q. Do you know how long after you returned from Neverland it was that Mr. Jackson called your mother's house?
A. Almost immediately. And spoke to both boys. And then to Gavin. But Frank, oooh, all of the time.
Q. You say "all of the time." What does that mean?
A. Oh, gosh, a lot.
Q. What was he saying?
A. That he loves us, Michael loves us, and, you 6102

know, loves -- he wants to protect us. I'm in so much danger, me and the children. Just -- just everything in those kind of topics.
Q. Did he describe the danger?
A. Yeah, he said that, "You don't know, Janet. We're receiving constant death threats here about the children." You know, I believed him.
Q. And he was telling you this in your conversations?
A. Yes. Yes.
Q. All right.
A. But there was so many conversations.
Q. When Mr. Jackson actually phoned --
A. Yes.
Q. -- did you talk with him at all?
A. No. No, Frank had already done the legwork for him, let him know.
Q. The question was only whether or not you had spoken with Mr. Jackson.
A. No.
Q. When you went to Jay Jackson's home, this is the one on St. Andrews Place?
A. Yes.
Q. In mid-Wilshire in Los Angeles?
A. Yeah, he has a -- had a one-bedroom apartment.
Q. Did the phone calls continue there?
A. Yes. 6103

Q. Were you calling Frank back? Was he leaving messages? Were you returning his call?
A. The ones I returned, probably maybe -- at that time, before returning to Neverland? I think maybe -- maybe once. Once or three times. Very -- definitely less than five. The rest were all him.
Q. Did you believe there was a danger to --
A. And that's maybe.
Q. Did you believe there was a danger to your children at that time?
A. Yes, I believed them.
(To the defendant) I believed you.
Q. Did Frank, in any of his conversations with you, tell you who it was who posed a danger to your children?
A. No. The killers, you know.
Now when somebody knocks, I say, "Okay, it's either a subpoena or a killer."
Q. All right. Did he ever discuss any other matters with you over the telephone?
A. Yeah. Yeah, how much that Michael loved the kids and me. And then about doing this video. And I had told them no, because Dieter and Ronald had scripted it, and so they wanted us to say exactly what they wanted us to say for -- what they wanted us to exactly say.
Q. During this period of time that you were back in Los Angeles - all right? - after Jesus drove 6104

you away from Neverland, did the kids go back into school?
A. No.
Q. Why not?
A. Because I really believed them. I did.
Q. Believed that there was what?
A. Killers.
Q. Danger?
A. And then afterwards, I came to find out from Mr. Davie that honestly no reporter ever came to my children's school.
Q. Were you dealing with reporters at all during this period of time after you came home?
A. When I came home, all I saw was my mom's tables filled with offers, filled with different offers. Vacation, money, cars. You name it, it was there. It was there.
And so before I had gone to my mom's, Ronald, Dieter, Michael had filled my head that there was reporters all over the place, and the killers were, you know, every place I was. I really believed them.
And so when I got my to mom's and saw the table filled, you know, I thought they were telling the truth.
Q. Hold on. Now, the table was filled with what, documents?
A. Yeah. 6105

Q. What kind of documents?
A. Letters. Different letters making offers,
making -- for a story, interviews.
Q. With you?
A. With the children, with me, or both.
Q. All right. Did anybody actually call and
contact -- and talk to you while you were there?
A. The phone was ringing like crazy, so I would
pick it up and pretend it wasn't me, you know, just
in case it was one of my parents' family members,
because my mother's mother has Alzheimer's, so my
mom and her sister, or a combination, they take care
of her, so, you know --
Q. All right. Did you have an opportunity to
look at any of those documents?
A. Yes, I did.
Q. All right. And I think that you said that
there were offers amongst them?
A. Yes. Yes, there were.
Q. Offers for money?
A. Money, cars, vacations. Just you name it.
Q. Any of them contain dollar amounts?
A. Yes, they did.
Q. How much?
A. One was 100,000 cash.
Q. To do what?
A. To give a story about Gavin.
Q. All right. Did you assume that it was a 6106

story about Gavin with regards to Michael Jackson?
A. Yeah. They were very clear on what they wanted. There was -- the only people that were vague was those two reporters way in the beginning.
Q. Okay. But these offers dealt --
A. They were very clear.
Q. In other words --
A. And some were just, you know, “Basically we want to talk,” that’s all. Not all of them. Some of them were just, “I want to talk.” That’s all.
Q. Did you call any of these reporters?
A. No, I didn’t.
Q. Did you have a telephone conversation with any of these reporters?
A. No.
Q. Did you communicate --
A. Other than the one that said Gavin and all that stuff.
Q. I understand. Did you communicate with any reporters to the extent of telling them that you were willing to do a story --
A. No.
Q. -- and accept payment?
A. Huh-uh, huh-uh.
Q. Did you accept payment from any reporter?
A. No.
Q. Have you given a story to any reporter?
A. No. 6107

Q. And to this day have you?
A. Till this day.
Q. Do you have any arrangement to do a story at some time in the future?
A. No.
Q. Do you intend to give a story?
A. Huh-uh.
THE COURT: Is it time for a break?
MR. ZONEN: I believe so.
THE COURT: Let's take one.
(Recess taken.)
THE COURT: Go ahead.
Q. BY MR. ZONEN: Miss Arvizo, I've been asking you about a series of phone calls that --
THE BAILIFF: Turn on the microphone, please.
Q. BY MR. ZONEN: Miss Arvizo, I've been asking you about a series of telephone calls that you received from Frank, and I asked you, I believe, if anybody else had called you about this same issue. Your answer was what?
A. About --
Q. About this matter of returning back to Neverland.
A. Yeah, Michael.
Q. And, okay, anybody else beyond that?
A. Beyond Frank?
Q. Yes.
A. No. 6108

Q. Did he ever talk about any other matter
other than that issue, the danger to the children
returning to Neverland --
A. Yeah.
Q. -- and the rebuttal?
A. Yeah. And also, you know, about the media,
that they were all bad people. And, you know,
they -- they made me believe that.
(To the audience) I think different of you
guys now. That -- that's what they made me believe
about you guys, but, you know, you guys are
basically good guys, too. You guys are the good
side. It's okay.
Q. Miss Arvizo, at some point in time, did you
have an opportunity to listen to a tape-recording of
one of those telephone calls?
A. Yes, I did. Yes.
Q. Were you aware that one of those telephone
calls was actually tape-recorded?
A. No, I wasn't aware.
Q. Do you recall who it was who played that
tape-recording for you?
A. The D.A.'s Office at the grand jury.
Q. All right. Was it just prior to the grand
jury that you heard it for the first time?
A. It was right prior to the grand jury.
Q. All right. And was it played during the
grand jury? 6109

A. It was played during the grand jury.
Q. And you had an opportunity at that time to listen to that tape-recording in its entirety, did you not?
A. Yes.
Q. All right. Do you remember what specific phone call that was?
A. It wasn't one specific phone call. It was many conversations, and the masters of choreography blended it all into one tape.
Q. I want you to just answer the question that I ask you, all right?
It was more than one telephone call; is that true?
A. Yes.
Q. How do you know that?
A. Because I'm the one talking.
Q. You simply remember that it was --
A. That, and also the key thing such as, you know, my being at my mom's, being at Jay's, there's a difference. My children all not being there, and then Gavin being there. Just different little clues. Since I was the one talking, I knew.
And also, one key thing. The original phone number that -- that Frank had given me was very different than the conversation that ended up being on the tape. And that -- that number was actually towards more over here rather than in the beginning. 6110

Q. I'm not certain I understood that. There was --
A. There were many conversations blended onto one tape and made as if it was only one conversation. So you're going to hear a series of different conversations all blended into one.
Q. You said there was a phone number that Frank gave you. What did that mean?
A. That phone number, the 201 number, was not the one that was originally given to you, it was a different number, that's why I know.
Q. 201 being the area code?
A. Yes, sir.
Q. Did you dial that number to talk to Frank?
A. No. Not at that time.
Q. At any time during this period while you were in Los Angeles, before returning to Neverland?
A. Okay. Before returning to Neverland, I'm seeing -- I'm being generous. Maybe if -- maybe less than three, less than five. And I --
Q. Less than three, less than five what?
A. Of if I ever returned a phone call.
Q. You think you might have returned --
A. I may. I may.
Q. You might have returned a phone call to him?
A. Yes.
Q. And perhaps as many as three or five?
A. And I'm guessing one. 6111

Q. Do you have --
A. But, yeah -- after.
Q. Do you have a specific recollection of ever returning a phone call to him?
A. I don't remember. It was -- because he was calling so much, there was no need for me to return a phone call --
Q. All right.
A. -- at that period.
Q. Was he leaving either voice mail messages or answer phone messages when he called?
A. At that time, I was picking up the call, and there was also some phone messages.
Q. Did you -- can you give us a sense of how many conversations you were actually having with Frank in any given day?
A. With Frank? Okay. On the -- oh, God, no, I can't.
Q. Was the subject of the video, doing the rebuttal, was that something that was frequently discussed in those phone calls?
A. This is when he was pulling me back in.
MR. ZONEN: Your Honor, we have marked -- we have marked Exhibit No. 809 as a tape. Actually, it's on the form of a CD that we would like to play at this time.
(Whereupon, a CD, Plaintiff's Exhibit No. 809, was played for the Court and jury.) 6112

MR. ZONEN: Your Honor, we have a transcript, and we will furnish a copy of that transcript tomorrow morning.
BAILIFF CORTEZ: The microphone, sir.
THE COURT: Again.
MR. ZONEN: We have a transcript of that tape as well. We will furnish the Court a copy of that transcript as a separate exhibit tomorrow morning.
THE COURT: All right.
Q. BY MR. ZONEN: Ms. Arvizo, you've now listened to this tape. Is this, in fact, the same tape that you previously listened to?
A. Yes.
Q. And you have listened to this tape as well during the course of the grand jury hearings?
A. Yes.
Q. You believe that this is a compilation of a few telephone calls?
A. Yes.
Q. What were your feelings about Frank at the time of these phone calls? What did you think of him?
A. Well, I -- I thought he was a good guy. And he ended up being the worst one out of all of them.
Q. At the time of these telephone calls, you had trust in him?
A. Yes, because he was repeating the same 6113

things. Not identical, but he was repeating the same things that Michael had told me in the Miami thing; that we were family. He had said that family never leaves family behind.
Q. Did you believe that to be the case?
A. I did. I believed him.
Q. Michael Jackson you had only met on one previous occasion?
A. That's right. But because he was going -- I knew violence, and so when he presented to me that there was a violence to my son and my kids, I thought, you know, what a nice guy.
Q. Did you believe Frank with regards to the things that he told you in these telephone calls?
A. I'm sorry, what did you say?
Q. Did you believe Frank's representations to you during the course of these phone calls?
A. Yeah, I did. I did.
Q. Did you believe that you would be sheltered from the Germans if you returned?
A. No, I didn't return until he told me that they were fired. I believed everything he said.
Q. What did he tell you specifically about the Germans?
A. That Michael had them fired. He found out how they were treating the kids and me, so that Michael fired them.
Q. He asked you on a few occasions during these 6114

telephone calls if it would be okay to post a
24-hour guard outside your home.
A. Yeah.
Q. Is that the case?
A. And I said no.
Q. Did you tell him no repeatedly?
A. Yes. There was many conversations.
Q. Did you ever have a guard posted outside
your house?
A. Never.
Q. Why did you turn that offer down?
A. Because I didn't want my parents to know. I
had always hidden everything from my parents.
Q. You didn't want your parents to know what?
A. Because I didn't want them to get scared,
because they're older. I've never told my parents
about anything. I mean, they barely know now many
things.
Q. All right. Now, I think you said that there
was never a guard that came; is that true?
A. That's right.
Q. When did you decide to return back to
Neverland?
A. When -- when Frank convinced me.
Q. In the tape, he mentions a couple times
about doing a video. Is that the rebuttal video
that you referred to?
A. Yes. And every time I said no. 6115

Q. On one occasion in here, you do tell him that you'd be willing to do that, do you not?
A. Yeah, as long as it's not a script, because the Germans wanted to me to say exactly what they dictated.
Q. Were you willing to say something at that time that was positive --
A. Yes.
Q. -- about Michael Jackson?
A. I was.
Q. At that time, did you have anything to say about Michael Jackson that was negative?
A. No.
Q. Did you tell him you'd be willing to do that?
A. Yes.
Q. You have references in this interview, or, excuse me, conversation or conversations about Michael Jackson and Frank being family.
A. Yes.
Q. What was that about?
A. Because I believed him.
Q. I'm sorry?
A. I believed him.
Q. And Frank was also making those representations to you?
A. Yes. I wanted friends so bad.
Q. You wanted friends? 6116

A. I did.
Q. And why is that?
A. Because David always told me nobody loved me.
Q. You had talked about David with Frank on these conversations, did you not?
A. Yes, I did.
Q. Did you tell him everything that had happened with regards to --
A. He already had known. I was just gathering. (To the defendant) I was still trying to help you.
I was gathering paperwork to prove of David committing these crimes on me and my kids and my animals.
Q. You were gathering up paperwork for what purpose?
A. To give it to you.
Q. You need to address the question only.
A. Michael.
Q. Why were you gathering up paperwork for Mr. Jackson?
A. Because David was interview after interview and after interview; so they could know that he’s a liar.
Q. All right. You need to explain this to me. David is David Arvizo --
A. Yes. 6117

Q. -- your former husband?
A. Yes.
Q. You say he gave interview after interview after interview?
A. Yes.
Q. With whom?
A. With different reporters. This is what Ronald and Dieter had told me.
Q. And somebody had spoken to you about the interviews that David Arvizo is doing?
A. Ronald and Dieter did at Neverland.
Q. And what did they say to you about those interviews?
A. That David was talking bad stuff about me and the children.
Q. About you and the children?
A. Yes.
Q. All right.
A. And about Michael.
Q. Did somebody ask you to gather up paperwork about David?
A. No, I was just trying to help.
Q. And why did you gather up paperwork for them about David?
A. Just the paperwork, the restraining orders, everything that the court had given me.
Q. What was your purpose for doing that?
A. Well, so that we can have proof that this -- 6118

everything that this man is saying from his mouth is untrue. David.
Q. What time was it during the day or evening that Jesus Salas drove you back to your parents' house?
A. I think -- I don't know. Maybe about one-something a.m.
Q. It was in the early morning hours?
A. Yes. About 1:15.
Q. Did you talk with Michael Jackson before being driven back to your parents' house?
A. No.
Q. During the entire time that you were in Los Angeles, either at your parents' house or at Jay Jackson's residence, were the phone calls continuous during that time?
A. Yes.
Q. What finally was it that caused you to decide to return to Neverland?
A. When Frank had said that Michael had fired the Germans.
Q. Was there an understanding about whether or not you would be doing a video once you got back?
A. No.
Q. You hadn't talked about that?
A. No. At that point, no. It was just --
Q. What was your belief about whether or not you would be doing a video? 6119

A. There was -- there was none. He had said that I didn't have to do it after all.
Q. Did you express to him some reservations about doing it?
A. No, he -- I had told him that the Germans wanted to dictate exactly what we wanted to say, so I was -- I told him no.
And so afterwards, towards when -- the end, Frank had said that, okay, that I didn't have to do it at all, me and the kids.
Q. Did you go back to Neverland?
A. Yes, I did.
Q. Do you know approximately what time of the day or evening it was?
A. The daytime. Gary came for us.
Q. Before going back to Neverland, did you have an interview?
A. Yes.
Q. With whom?
A. With Brad Miller.
Q. Did you know who Brad Miller was?
A. No.
Q. Had you ever seen him before?
A. No.
Q. Was it prearranged that you would have an interview with him?
A. Yes. Yes.
Q. And who had arranged that? 6120

A. Frank.
Q. Now, you were still in Los Angeles; is that right?
A. Yes. In Jay's apartment.
Q. And how long prior to that interview was it that you had arranged it or Frank had arranged it with you?
A. Hours.
Q. So it was the same day?
A. Same day.
Q. Did he tell you the purpose for this interview?
A. Yeah. He had called me like in a state of panic, and he was telling me, "Quick, Janet, quick. We need you to talk to Bradley Miller because he's a P.I., and he just saw" -- "he just saw David make contact with the killers."
And then he's -- he told me about how important it is to say nice things about Michael and that Michael was going to protect me and the kids.
Q. Did you believe it?
A. I believed it.
Q. Did you feel the kids were in danger at that time?
A. Yes, I did.
Q. Why did you agree to have an interview with Brad Miller?
A. Because I believed him. 6121

Q. At which location was this interview?
A. In Jay's apartment.
Q. And did he arrive by himself, Mr. Miller?
A. Yes, he did.
Q. Did he identify himself to you?
A. Yes, he did. Michael's P.I.
Q. He told you he was a P.I.?
A. Michael's P.I.
Q. You've had an opportunity to listen to a tape-recording of that interview, have you not?
A. Yes, I have.
Q. Do you recall at some point during the course of that interview him turning the tape off?
A. Yes.
Q. Do you know why?
A. I had walked in for that second, and then I had walked back out right after he had turned it back on, and he said that -- that -- here's that phrase, to say nice things about Michael, because that would appease the killers. That phrase is burned in my brain.
Q. And were you in the room during the entirety of that interview?
A. No. I kept coming in and out, because Jay in the beginning, he was kind of like very -- now he's softened up, but before, he was very military, very -- everything had -- everything was organized, everything was -- his things were his things. 6122

And so I noticed that he was kind of getting a little upset, because he was walking back from the -- from the living room where we were at into his bedroom, so I was kind of nervous that he was getting upset, so --

Q. So you were checking on him periodically?

A. Yes. Yes.

Q. Do you know how long that interview went?

A. It -- I since have seen the transcript to it, and it shows an ending time, and the ending time is inaccurate. It's incorrect.

Q. What do you think is the length of that interview?

A. The length of the interview from when he was there is -- it's about an hour, a little over an hour, but the time that it has on the transcript doesn't reflect that.

Q. Did Mr. Miller explain to you why he was there?

A. Yes. For what Frank had said. The same purpose.

Q. Did he give you any instruction as to what to say before turning on the tape-recorder?

A. Yeah, he fed us. Sometimes we would rewind, stop, rewind, stop. And so he was feeding us, but everything I said, I said it with my heart.

Q. All right. And you said nice things about Mr. Jackson, did you not? 6123

A. Yes, I did.
Q. And did you believe those things at that time?
A. Yes, I did.
Q. You would have said those things even if he hadn't rewound the tape-recorder?
A. That's right.
Q. Did you then go back to Neverland?
A. Yes, I did.
Q. Did Mr. Miller talk to you about going back to Neverland?
A. No, he didn't.
Q. Who was it who made the arrangements for you to return to Neverland?
A. Frank.
Q. Do you know if that was the next day?
A. That was the next day.
Q. When you got back to Neverland, what did you see?
A. And another thing, too, that I seen, which I wasn't that correct on, I noticed that there is -- the only way I can know this is because when Chris Carter brought me back, immediately the phone -- the phone stuff was subpoenaed, so on the day that I used Chris Carter's phone is the day that --
Q. We're jumping ahead of ourselves.
A. Well, okay. I feel the date may be incorrect also. But the only reason is because I 6124

found out afterwards of that phone call.
Q. We're going to get there. We're going to get there.
You're back in Los Angeles. Who is it who brought you back to Neverland?
A. Gary Hearn.
Q. Did you go with your children?
A. Yes, I did.
Q. Do you know what time it is, approximately, that you arrived at Neverland?
A. I think it was the afternoon.
Q. What did you see when you got there?
A. Ronald and Dieter.
Q. Did that surprise you?
A. Minutes -- minutes into being inside the house.
Q. Which house?
A. Michael's house.
Q. Did you go to his house soon after arriving at Neverland?
A. Yes.
Q. Did you see if Michael Jackson was there?
A. Yes. I saw him. He went straight to my kids.
Q. And where did your kids go?
A. With him to his office.
Q. All three of your kids?
A. Yes. And then I saw Davellin, and then she 6125

1 went back in. But they were in his office.
2 Q. Did you speak with Mr. Jackson at the time
3 that you arrived?
4 A. No.
5 Q. Did you see the two Germans, Dieter and
6 Ronald, immediately?
7 A. Yes.
8 Q. What did you do when you saw them?
9 A. I knew now that Frank had been lying to me
10 the whole entire time.
11 Q. What did you do when you saw them?
12 A. I told them that I had an emergency and I
13 have to go back home, me and the kids have to go
14 back home.
15 Q. And who did you say that to?
16 A. I said it to Ronald and I said it to Dieter.
17 Q. What did they say?
18 A. They said no, I couldn't; that the kids have
19 to stay. If I have an emergency, I can go, but the
20 kids had to stay. And that at this point is when
21 they had pointed out to me that my outside phone
22 calls are being monitored, that I'm being watched,
23 listened to, and they can make my kids disappear.
24 Q. Was this the first time --
25 A. And that anybody -- anybody I told -- and at
26 this time I'm like, what am I going to tell? That
27 we're walking across the grass? You know, what am I
28 going to tell? And that anybody that I told, their 6126

life was going to be in danger.
Q. Did you make a decision at that time as to whether you would leave?
A. Yes.
Q. What was that decision?
A. Because that's the only way I could get out, because the other time it took -- it took a long process for me to leave. And this time, Jesus had told me he couldn't help me.
Q. What was that decision that you made? To leave?
A. To leave.
Q. To leave, all right. Did you speak to anybody else other than Ronald and Dieter about leaving?
A. Yeah, well, Jesus, I asked him for help. We went from the -- from the video place, tried to talk -- I tried to talk secret with him in Spanish because I was talking to him in English and that's when Dieter had walked up, and then I -- and then I tried to talk to him in Spanish.
And we went to the train station, and we went up -- up to the -- way up on the top, and I tried to talk to him, plead for him to help me, and he said he couldn't help me anymore, because when I had -- when I had left, the whole house turned into chaos.
Q. Did you ask him specifically to take you 6127

back to Los Angeles?
A. Yes, I did. Me and the kids.
Q. He told you no? What did he tell you?
A. That he couldn't; that to ask Chris for help, because he doesn't know, and -- and I found out that everybody was on a need-to-know basis; that not unless they stumbled upon the problem or they were pulled into it, other than that, everybody was clueless.
Q. Okay. All right. Did you go talk to Mr. Carter?
A. Well, what happened was, when -- I was going to look for him, but I didn't have to -- have to look for him, because I happened to see him, so -- and that was Jesus's advice.
Q. Did you know Chris Carter from a prior visit?
A. Yes, from when I was there. He's Michael's personal bodyguard.
Q. Was he somebody who had been nice to you in the past?
A. Yes, he was.
Q. Did you go up and ask him if you could leave?
A. Yes.
Q. Did you ask him if your children could as well?
A. I did mention it to him, but that's when I 6128

seen the Germans again, so I completely, you know,
"pshooo," played it off; it was just an emergency.
Q. Did he say he would take you?
A. Yes, he did.
Q. And did you leave?
A. Yes, I did.
Q. Did you leave with your children still at
Neverland?
A. Yes.
Q. Why did you do that?
A. Because I did. Because of the reasons that
I just told you.
Q. Now, you mentioned earlier that in the drive
back to Los Angeles, you used Mr. Carter's cell
phone?
A. Over and over. And I used the phone inside
your car.
Q. Who were you calling?
A. Calling Jay over and over. But -- and I was
praying in the car. And --
Q. Were you scared?
A. Yes.
Q. What were you worried about?
A. That they were going to make true on
everything that they had said.
Q. Were you able to reach Jay on the telephone?
A. No.
Q. Where did Mr. Carter take you? 6129

A. To Jay's.
Q. And did he drop you off there?
A. Yes.
Q. Do you recall at approximately what time you arrived?
A. Oh, I don't know, but that -- that telephone call is -- you could see it on the subpoenaed phone record.
Q. Whatever time that is would be the time that you were in the vehicle?
A. That's the time. That's the time.
Q. Do you remember how many phone calls you made to Jay during that time?
A. A lot of them.
Q. At one time during the course of this phone conversation or conversations that we just listened to, Frank mentions a trip, going someplace; says you'll be dancing every night. Do you remember that conversation?
A. Yes, I do.
Q. Did you have more than one conversation with Frank about going someplace?
A. Yeah. They wanted us to leave the country.
Q. Did they tell you where they wanted you to go?
A. Well, this is in Neverland, when I -- and I found out that they were monitoring my phone calls inside Neverland. They had first mentioned Austria. 6130

1 And so I had mentioned it to -- to Jay, I think it
2 was Jay, over the phone, and then they came in
3 hollering, because nobody was supposed to know.
4 Then they found out that I had -- that I
5 knew Spanish and was a Spanish-speaking country, and
6 the end result was Brazil, so I knew that they
7 wanted me out of the country since then.
8 Q. All right. They were talking about going to
9 Brazil?
10 A. Yes.
11 Q. They'd actually begun that conversation
12 prior to Jesus taking you out?
13 A. Prior to Jesus.
14 Q. And during the phone calls that you had with
15 Frank, did he mention that?
16 A. Yes.
17 Q. Did he mention it more than once?
18 A. Yes.
19 Q. Did he mention it often?
20 A. Yes.
21 Q. Did he ever mention locations other than
22 Brazil?
23 A. No. It ended up being Brazil.
24 Q. Did he tell you why he wanted you to go to
25 Brazil?
26 A. At first -- everything -- everything
27 evolved. At first, it was to keep me and my
28 children safe from the killers. Then -- then it 6131

just evolved into that, into -- and one of the
maximum points was until they had damage-controlled
everything for you.
Q. No, you need to address us, okay?
A. I mean for Michael. And it escalated to
that there was no definite time of return, until
they fixed everything for you, for Michael.
Q. Now, at some time after you came back to
Jay's residence, at some point around that time, did
you become aware of the fact that the Department of
Child & Family Services wanted to talk with you?
A. Immediately.
Q. Do you remember if that was before or after
you went back to Neverland?
A. When Chris Carter brought me back,
immediately like that, so then I said yes, I'm going
to use this as an excuse to get my children out;
that I need them for that.
Oh, they went into high gear now, more.
Q. Hold on. We'll get there. We'll get there,
okay?
Now, who was it who called you from the
Department of Child & Family Services?
A. On the phone I spoke to three ladies at
three different times, because I was trying to meet
with the Child Protective Services by myself, in
their office, because I figured -- because I
believed what the Germans had said. So I figured, 6132

you know what? Maybe inside their office, you know, it's going to be safe to express to them that my children are still there and they're not letting them out.
Q. Did you ask somebody among them if you could interview with them at the office?
A. Yes, and they said no. They were not helpful.
Q. Who is "they"?
A. Karen Walker. LaVerne. And I think -- I don't know whether it's Jackie or Yvonne. She goes by two --
Q. There were two people that you had spoken with?
A. Three.
Q. All on the telephone?
A. Yes.
Q. Same conversation or different conversations?
A. Different conversations, because I couldn't make them aware over the phone that - because I believed that my phone calls were being monitored - that they were over there.
Q. Did you know why they wanted to meet with you?
A. No.
Q. Did they tell you why?
A. No. 6133

Q. Did they tell you whether or not it had something to do with Michael Jackson?
A. No. They said that it -- that they would let me know in the meeting.
Q. All right. Did --
A. They didn't let me know of any allegations till the meeting.
Q. Did not discuss this video, the "Living with Michael Jackson"?
A. Nothing.
Q. Were you aware, prior to your meeting with Child Protective Services or, as they call it, their Department of Child Family Services, whether or not that meeting had something to do with this documentary "Living with Michael Jackson"?
A. Not until they had the actual meeting.
Q. Okay. Now, did you tell anybody at Neverland about the fact that you'd been contacted by representatives of the Department of Child & Family Services?
A. Yes. I had called the administration office. I had called -- I had called -- I had called Jesus. Jesus did not return a -- not a single phone call of mine. And the administration offices, their business offices did not return any of my phone calls. And then so there was contact made between Frank and me.
Q. All right. Now, Frank then called you back? 6134

A. Yes. I don't know whether he called -- I can't remember this fact, but maybe by the phone records you can.
Q. Okay.
A. I don't know whether they told him to call me or I called him. I don't know. But at that point I was completely desperate.
Q. Did you -- did they -- by "they" I mean the people from Child -- the Department of Child Family Services, DCFS, did they request of you to have your children present during that interview?
A. Yes.
Q. Did they tell you that that was necessary?
A. Yes; that they have to see them themself.
Q. All right. Did you communicate that to Frank?
A. Yes.
Q. Did you tell anybody else that; that you needed to have the children there?
A. No, that's all. My one conversation was now only with Frank.
Q. All right. And tell me about the conversation that you had with Frank about this interview with DCFS?
A. I'm sorry, did you say --
Q. Did you have a conversation in particular with Frank?
A. No, not "a." Many.
Q. Many, all right. Do you remember any of 6135

these conversations?
A. Yeah. That -- I mean, my kids, because of this meeting.
Q. What was Frank telling you during that time?
A. At first, it was no, unless I do the video. Then it evolved into -- it evolved into more.
Q. Well, what more? I mean, what specifically was he telling you about the video and the children?
A. Well, it evolved. Right before the video, it evolved into that if I did a good job, I wouldn't have to leave the country.
Q. At some point in time did you agree to do a video?
A. Yes, I did.
Q. Did somebody say to you that the video needed to be done before the interview?
A. Yes.
Q. Who was that?
A. Frank.
Q. What specifically did he tell you about that?
A. That I had to do it.
Q. You had to do it before?
A. Yes.
Q. All right. Now --
A. The meeting could not take place prior to the video. The video had to take place prior to the meeting.
Q. Do you have a recollection at this time of 6136

1 the dates that these particular events --
2 A. Yes.
3 Q. In other words, if I were to ask you
4 specifically the date of the initial phone call from
5 the Department of Child Family Services.
6 A. Oh, no, that I wouldn't be able to tell you.
7 I need your help on the phone records.
8 Q. Do you know the date?
9 A. But I know it was like that, immediately.
10 Q. Immediately after you returned?
11 A. Yes, with Chris Carter.
12 Q. Do you know the date that was scheduled for
13 the interview?
14 A. Yes, that I do. The 20th.
15 Q. And what day was that? The 20th?
16 A. The 20th. I --
17 Q. And do you know what day of the week that is?
18 A. I think that was a Thursday. I think. I
19 think so. I -- I think so. Thursday and the 20th
20 go together in my mind.
21 MR. ZONEN: If the Court will once again
22 take judicial notice that the 20th -- I'm sorry, I
23 gave you my calendar. I believe it is a Thursday,
24 but could the Court check and perhaps we could take
25 notice of that.
26 THE COURT: Thursday is the 20th.
27 MR. ZONEN: It is a Thursday, then.
28 MR. MESEREAU: May I just see it for a second? 6137

MR. ZONEN: He doubts you?
MR. MESEREAU: Thursday is the 20th. Thank you. So stipulated.
THE COURT: All right. Is this a good place to stop?
MR. ZONEN: Yes, Your Honor.
THE COURT: Is it time to stop?
Okay. We'll stop. See you tomorrow morning at 8:30. Remember the admonitions.
(The proceedings adjourned at 2:30 p.m.)
--o0o--

REPORTER'S CERTIFICATE

THE PEOPLE OF THE STATE)
OF CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

I, MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304, Official Court Reporter, do hereby certify:

That the foregoing pages 5953 through 6138 contain a true and correct transcript of the proceedings had in the within and above-entitled matter as by me taken down in shorthand writing at said proceedings on April 13, 2005, and thereafter reduced to typewriting by computer-aided transcription under my direction.

DATED: Santa Maria, California, April 13, 2005.

MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304